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REPORTS

ON

CRIMINAL JUSTICE IN BURMA

FOR

THE YEAR 1890.

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RANGOON:

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1891.

TABLE OF CONTENTS.

RESOLUTION BY THE CHIEF COMMISSIONER.

	Para.	Page.
Upper and Lower Burma treated separately ...	1	1
Lower Burma.		
Number of cases reported during the year ...	2	ib.
District statistics ...	3	ib.
Classification of offences ...	4	2
Disposal of cases ...	5	ib.
Preventive law ...	6	ib.
Sentences ...	7	3
Sessions Courts ...	8	ib.
Appeals ...	9	4
Financial ...	10	ib.
Acknowledgments of Chief Commissioner ...	11	5
Upper Burma.		
First criminal justice report ...	12	ib.
Statistics of offences ...	13	ib
Disposal of business ...	14	6
Sessions cases ...	15	ib.
Sentences ...	16	7
Appeals ...	17	ib.
Financial ...	18	8
Acknowledgments of Chief Commissioner ...	19	ib.

CRIMINAL JUSTICE REPORT, LOWER BURMA, FOR 1890.

PART I.

Courts exercising Jurisdiction in the Town of Rangoon.

Special Court of Lower Burma.

	Para.	Page.
Number of persons who appealed and result ...	1	1
Capital sentences ...	2	ib.
Court of the Recorder of Rangoon.		
Cases committed ...	1	2
Courts from which commitments were made ...	2	ib.
Persons sentenced and acquitted ...	3	ib.
Punishments inflicted ...	4	ib.
Capital sentences ...	5	ib.
Number of appeals for revision ...	6	3
Abstract of criminal work ...	7	ib.
The Magistrates' Courts.		
Bailable and non-bailable offences ...	8	3
Fluctuation of grave crimes ...	9	4
Less serious crime ...	10	ib.
More serious offences ...	11	5
Statistics of violent crime ...	12	ib.
Offences against property with violence ...	13	ib.
Offences against property without violence ...	14	6
Work of Magistrates ...	15	ib.
Punishments inflicted ...	16	7
Average duration of cases ...	17	ib.
Shipping casualties ...	18	ib.
Magistrates in Rangoon Town during year ...	19	8

PART II.

Courts under the Supervision of the Judicial Commissioner.

Submission of report ...	1	9
I.—Reported Crime.		
Offences reported and offences returned as true ...	2	9
Increase and decrease of true cases ...	3	11
Principal offences against the person and against property ...	4	13

II.—Original Jurisdiction.

	Para.	Page.
Effective strength of magistracy ...	5	14
Use of summary powers by Magistrates	6	15
Cases disposed of by Honorary Magistrates	7	16
Results of enquiries and trials	8	18
Punishments inflicted ...	9	21
Fines imposed, realized, &c.	10	22
Committals to Sessions	11	ib.
Sentences passed in Sessions Courts	12	24
Persons referred to Sessions under sections 24 and 123, C. C. P.	13	ib.
Number and detention of witnesses in Criminal Courts	14	25

III.—Appellate Jurisdiction.

Appeals disposed of last year by Appellate Courts	15	26
Results of appeals disposed of	16	ib.
References made to Judicial Commissioner under section 374, C. C. P.	17	29
References made to Judicial Commissioner under section 438, C. C. P.	19	30
Cases called for by Judicial Commissioner on his own motion	19	31
Revision work of Session Judges and Magistrates	20	32

IV.—Miscellaneous.

Financial result of rules regulating fees chargeable for service of process	21	32
Inspection	22	33
Judicial Commissioner's circulars	23	34
Charge of office	24	ib.

CRIMINAL JUSTICE REPORT, UPPER BURMA, FOR 1890.

Administration of criminal justice ...	1	1

SECTION I.

Reported Crime.

Offences reported and returned as true	2	1
True offences reported under each class	3	4
Principal offences against the person and property	4	6

SECTION II.

Tribunals and work done by them.

Number and distribution of Judges and Magistrates	5	9
Result of trials and enquiries by Magistrates ...	6	11
Security for good behaviour	7	12
Result of enquiries and trials by District Magistrates sitting as Sessions Judges	8	13
Persons referred to Sessions	9	14

SECTION III.

Punishment.

Punishments in Sessions Courts	10	14
Classes of punishment inflicted in Magisterial Courts	11	15
Degrees of punishment in Sessions and Magisterial Courts	12	16
Habitual offenders	13	17
Fines	14	ib.

SECTION IV.

Witnesses.

Examination and detention of witnesses	15	18
Average duration of cases	16	19
Duration of cases tried by Courts of Session	17	20

SECTION V.

Appeals.

Appeals disposed of	18	20
Results of appeals	19	21
Appeals disposed of by Commissioners of Divisions	20	22

SECTION VI.

Revision and Reference.

References to Commissioners under section 374, C. C. P.	21	22
References to Commissioners under section 438, C. C. P.	22	23
Cases called for by Judicial Commissioner under section 435, C. C. P.	23	25
Revision work by Sessions Judges and District Magistrates on application of parties	24	26
Revision work of Sessions Judges and Magistrates otherwise than on application for revision	25	ib.
Financial result of rules regulating fees chargeable for service of processes	26	27
Inspection	27	ib.
Receipt of reports	28	28

LOWER BURMA APPENDICES.

Page.

1 (Criminal).—Statement showing the number of judicial divisions and the number of officers exercising appellate or original jurisdiction in Lower Burma exclusive of the town of Rangoon on the last day of the year 1889 with the cost of tribunals ... ii.

2 (Criminal).—Statement showing the number of offences reported and of persons, tried, convicted, and acquitted of each class of offence in Lower Burma for the year 1890 ... iii.

2A (Criminal).—Statement showing the general result of the trial of European British subjects in Lower Burma for the year 1890 ... ... iv.

3 (Criminal).—Statement showing miscelleaneous proceedings under the Criminal Procedure Code in Lower Burma for the year 1890 ... ... v.

4 (Criminal).—Statement showing the general result of criminal trials in the tribunals of various classes in Lower Burma for the year 1890 ... ... vi.

5 (Criminal).—Statement showing the punishments inflicted by the various criminal tribunals in Lower Burma for the year 1890 ... ... vii.

5A (Criminal).—Part I.—Statement showing the whippings inflicted under sections 2 and 3, Act VI of 1864, in lieu of other punishments in Lower Burma for the year 1890 ... ... viii.

Part II.—Statement showing the whippings inflicted in addition to other punishments under sections 3 and 4, Act VI of 1864, in Lower Burma for the year 1890 ... ... ib.

Part III.—Statement showing the whippings inflicted under section 5, Act VI of 1864, on juveniles for offences other than those specified in Parts I and II in lower Burma for the year 1890 ... ... x.

Part IV.—Statement showing the relative number of times whipping was awarded as compared with other punishments in Lower Burma for the year 1890 ... ... ib.

6 (Criminal).—Statement showing the result of appeals and revision in criminal cases in Lower Burma for the year 1890 ... . xi.

13 (Criminal).—Statement showing use of jurors and assessors in the Criminal Courts of Lower Burma for the year 1890 ... ... xii.

UPPER BURMA APPENDICES.

No. 1 (Criminal).—Statement showing the number of judicial divisions and the number of officers exercising appellate or original criminal jurisdiction in Upper Burma on the last day of the year 1890, with the cost of tribunals ... ii.

No. 2 (Criminal).—Statement showing the number of offences reported and of persons tried, convicted, and acquitted of each class of offence in Upper Burma for the year 1890 .. .. iii.

No. 2A (Criminal).—Statement showing the general result of the trial of European British subjects in Upper Burma for the year 1890 ... ... iv.

No. 3 (Criminal).—Statement showing miscellaneous proceedings under the Criminal Procedure Code in Lower Burma for the year 1890 ... ... v.

No. 4 (Criminal).—Statement showing the general result of criminal trials in the tribunals of various classes in Upper Burma for the year 1890 ... ... vi.

No. 5 (Criminal).—Statement showing the punishments inflicted by the various criminal tribunals in Upper Burma for the year 1890 ... ... vii.

No. 5A (Criminal).—Part I. Statement showing whipping inflicted under sections 2 and 3, Act VI of 1864, and under section 7 (1) (c) of the Upper Burma Laws Act, 1886, in lieu of other punishments for the year 1890 ... .. viii.

Part II. Statement showing whipping inflicted in addition to other punishments, sections 3 and 4, Act VI of 1884, and section 7 (c) of the Upper Burma Laws Act, 1886, for the year 1890 ... ... ix.

Part III. Statement showing whipping inflicted under section 5, Act VI of 1864, on juveniles for offences other than those specified in Parts I and II for the year 1890 ... ... x.

Part IV. Statement showing the relative number of times whipping was awarded as compared with other punishments in Upper Burma for the year 1890 ... ... ib.

No. 6 (Criminal).—Statement showing the result of appeal and revision in criminal cases in Upper Burma for the year 1890 ... ... xi.

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RESOLUTION

ON THE

REPORTS ON CRIMINAL JUSTICE IN BURMA

FOR

THE YEAR 1890.

Extract from the Proceedings of the Chief Commissioner, Burma, in the Judicial Department,—No. $\frac{87C.}{48C.}$, dated the 1st September 1891.

READ—

Reports by the Judges of the Special Court, the Recorder of Rangoon, and the Judicial Commissioners, Lower and Upper Burma, on the administration of criminal justice in Burma during the year 1890.

RESOLUTION.—It is convenient to consider Upper and Lower Burma separately as the conditions of the two divisions of the province are not alike.

LOWER BURMA.

2. In Lower Burma 45,500 cases were reported during the year and of these 43,257, or 95 per cent., were returned as true. The total number of cases reported is less by over 6,000 and the proportion of true to reported cases is nearly the same as in the previous year. Careful enquiries were instituted during 1890 by the Judicial Commissioner into the manner in which statistics of reported crime were compiled in the different districts of Lower Burma and the result of his investigations shows that the magisterial returns under this head, though only approximately correct, have represented the actual facts rather more accurately than was generally supposed. Attention was drawn in past years to the discrepancies that existed between the figures in Judicial Statement No. 2 and those in Police Statement A, Parts I and II. The conclusion now arrived at by the Judicial Commissioner is that this divergence is attributable chiefly to errors made in the compilation of the police statements. The importance of reconciling the magisterial and police returns must be impressed upon officers of both departments. The Chief Commissioner is disposed to agree with Mr. Ward in considering that the police returns are less accurate than the Magistrates' returns, and the Inspector-General of Police is requested to take measures for testing, especially during inspections made by himself or by the Deputy Inspector-General for Civil Police, the preparation of the Police Register of Crime and Police Statement A.

District statistics.

3. The four districts of Pegu, Shwegyin, Amherst, and Prome, which in 1889 showed the largest increase in true reported cases, are the districts in which in 1890 the largest decrease is noticeable. There is also a decrease of 442 cases in Bassein. In Prome and Bassein the decrease was due to fewer prosecutions under special and local laws. The number of offences against property under Chapter XVII of the Penal Code, which is the best index of the state of a district, diminished by only 68 in Prome and actually increased by 274 in Bassein. In Amherst, Pegu, and Shwegyin offences against property diminished by 227, 756, and 401 respectively. The unsatisfactory state of the Bassein district was noticed in the

Resolution on the Police Report, and though matters have improved in Prome yet the district, which is not a large one, still enjoys the unenviable distinction of showing the most crime of all districts in Lower Burma.

Classification of offences.

4. The number of cases returned as true was 43,257 against 49,309 in the previous year. The chief constituent parts of the difference thus apparent were a decrease of 1,738 offences against property and a decrease of 3,216 offences against special and local laws. A decrease from 195 to 129 in the number of murders is also a satisfactory element of the total. The number of dacoities fell from 540 to 231, of robberies from 356 to 259, and of cattle-thefts from 2,698 to 2,008. The returns for dacoity and robbery have steadily diminished since 1886. The diminution in cases of cattle-theft is a new and pleasing feature of the returns. This class of cases, which among a population mainly occupied with agriculture, causes more real suffering and loss than many more heinous crimes, had been steadily increasing since 1883, when only 936 true cases were reported. The Chief Commissioner regards the decrease in 1890, which, moreover, is not counterbalanced by any increase in housebreakings or ordinary thefts, as the most satisfactory feature of the report and hopes that, with the help of the track law, there may be a conspicuous improvement next year.

Disposal of cases.

5. The total number of cases disposed of during the year was 39,088 against 43,401 in 1889. The criminal work of District Magistrates was lighter than in 1889 by 968 cases. At Prome, Bassein, and Moulmein there was a considerable decrease in the work done by Honorary Magistrates, and altogether, outside Rangoon, 803 fewer cases were disposed of by them. In Rangoon also the number of persons tried by them fell from 8,963 to 6,163. This is possibly due to the general decrease in cases under special and local laws, which are the kind of cases usually tried by Honorary Magistrates. The work done by Honorary Magistrates is well spoken of and District Magistrates should have no hesitation in utilizing their services. The percentage of convictions and committals to the total number of persons tried remains at practically the same level as for the last two years, a level that compares favourably with that obtaining in most of the other provinces of India. The percentage of convictions for 1890 was 49·56 per cent. for cases under the Penal Code, 72·52 per cent. for cases under special and local laws, and 59 76 per cent. for all cases together. The Chief Commissioner regrets to notice that there is not only no improvement, but even a deterioration in the result of trials in Bassein. Either innocent persons are unfairly prosecuted or sufficient care is not taken to prove the guilt of criminals. Either explanation is discreditable to both the police and the magistracy.

Preventive law.

6. More use has been made during the year of the preventive sections of the Code of Criminal Procedure; outside Rangoon 2,736 persons were called upon to show cause why they should not furnish security and of these 1,985 were eventually ordered to give security. The percentage of convictions rose slightly to 74·80. In these as in the regular cases the Bassein district shows bad results, the proportion of convictions being only 45 94. Amherst, with a percentage of 44·74, was still worse, and in Tavoy and Salween percentages of 20 and 37 indicate the greatest carelessness in

initiating cases. The orders which were issued in 1888 by the Chief Commissioner to prevent the initiation of these proceedings by the police without the sanction of a responsible Magistrate were not fully acted upon in 1889, but in 1890 the good results of the order were manifested in the higher general average of convictions. The question of exercising more stringent control over habitual offenders was discussed during the year and some alterations in the law were proposed. The matter is still under the consideration of the Supreme Government.

The Judicial Commissioner remarks that security is often demanded by Magistrates on insufficient evidence. This opinion is doubtless justified by the cases which the Judicial Commissioner has perused in revision, but the position of the magistracy, who are responsible for the public peace, is one of some difficulty, and if they consider that a previously convicted person is unable to give a satisfactory account of himself an Appellate Court may with propriety be chary of interference. With the introduction of the provisions of the proposed Act Magistrates will be in a position to take preventive action in the cases of a large number of bad characters to whom the security sections of the Criminal Procedure Code are not strictly applicable.

Sentences.

7. Sentences of fine and of whipping only bear a rather larger proportion to the total of punishments inflicted than in 1889, and the actual number of whippings rose from 2,657 to 2,714. More recourse than hitherto was had to solitary confinement, but the Judicial Commissioner is of opinion that even more use can be made of this form of punishment. Enquiries were made during the year as to the manner in which sentences of whipping were executed at the outlying Subdivisional and Township Courts. The enquiry has shown that there is no reason to believe that any irregularity exists as to the manner of inflicting whippings in the remoter portions of the province and that there is no necessity for any change of system. The fines imposed during the year amounted to Rs. 3,45,734-12-0, of which Rs. 2,88,389-7-9 were realized. Both amounts are less than the corresponding figures for the last three years. The proportion of fines realized to fines imposed rose from 78 to 83 per cent. The improvement is assigned, and is no doubt due, partly to the remarks made by the Judicial Commissioner in last year's report regarding the adjustment of fines to an offender's means of payment. It is to be regretted that the Judicial Commissioner has not found time to prepare the special report on the striking-off of unrealized fines for which he was asked in the Resolution on the report for 1889. The Chief Commissioner trusts that the present Judicial Commissioner will not lose sight of this matter, which he has reason to believe is not sufficiently considered by Magistrates. The number of death sentences was 32, being four more than in 1889, when there were 28. Sentences of transportation diminished from 517 to 394, and sentences of imprisonment for over two years fell from 847 to 639. These reductions are in harmony with the progressive decrease of serious crime.

Sessions Courts.

8. There was a decrease from 499 to 389 in committals to the Courts of Session outside Rangoon. The decrease occurred, all but two cases, in the Irrawaddy division. The Commissioners of the Pegu and Irrawaddy Divisions were relieved of the trial of 121 persons by the Additional Sessions Judge, who worked for about half the year.

The percentage of convictions was 65·28, rather lower than in 1889, but still fairly satisfactory. The average duration of cases was highest in the Irrawaddy division, where it was 48 days. With the help of the Additional Sessions Judge the period should be considerably reduced in 1891. The number of cases referred under sections 34 and 123 of the Criminal Procedure Code was 201 against 275, and the number of persons concerned was 309 against 417. The percentage of convictions was rather lower than in 1890 owing, it is said, to want of care in cases tried by the Deputy Commissioners of Bassein and Thayetmyo. In Rangoon Town the Recorder sitting as a Court of Session tried 43 cases, in which 35 persons were convicted and 29 acquitted. The Recorder also tried, sitting as a High Court, seven European British subjects, of whom one was convicted.

Appeals.

9. As in the last four years, there was a decrease in the number of appeals disposed of by the Judicial Commissioner and District Magistrates, but, unlike other years, appeals disposed of by Courts of Session, which since 1886 have steadily increased, also diminished from 2,425 to 2,191. More than one-third of the appellate work of Sessions Courts was performed by the Sessions Judge of Pegu, who disposed of 913 appeals during the year. The percentage of appeals rejected or dismissed to the total number of appeals disposed of was 76·17, rather lower than in 1888 and 1889, when the figures were 80·70 and 77·75, but higher than the corresponding percentage for previous years. The above figures for appellate work refer exclusively to Courts outside Rangoon. The Recorder disposed during the year of 191 appeals and revisions concerning 235 persons; in the cases of 187 persons the order of the Lower Court was unaltered. The percentage of sentences left untouched on appeal to the Judicial Commissioner fell from 79 to 76. All the appeals against sentences of the Judge of Moulmein were rejected or dismissed, but in 32 per cent. of the appeals from the Sessions Judge of Pegu the original sentence was modified or reversed.

The idiosyncrasies of individual officers count for more in appeals than in original cases, but it is surprising to find that the proportion of appeals rejected or dismissed rose in the Pegu District Magistrate's Court from 37 to 61 and fell in the Tharrawaddy District Magistrate's Court from 75 to 28, in the Bassein District Magistrate's Court from 55 to 40, in the Thôngwa District Magistrate's Court from 61 to 46, and in the Arakan Sessions Judge's Court from 85 to 67. The Judicial Commissioner will perhaps be able to examine some of these cases in his tours and discover whether the variations are due to chance or to a change of officers. Sessions Judges and District Magistrates referred 168 cases and the Judicial Commissioner of his own motion called for 334 cases in revision. Out of 859 persons concerned in these cases 442 were let alone, 9 had their sentences enhanced, 61 had their sentences reduced, and 153 sentences were reversed. These figures are much below those of 1889, when 322 sentences were reversed and 323 reduced. It is satisfactory that less interference with the orders of subordinate Courts was found necessary.

Financial.

10. The comparatively small number of cases brought to trial as contrasted with 1889 has resulted in a decrease in the number of processes issued and a consequent decrease in the fees realized. The new scheme introduced at the commencement of the finan-

cial year by which the criminal, civil, and revenue process-serving establishments were amalgamated has been mentioned in the Resolution on the Civil Justice Administration of Lower Burma for the year. Not only is it expected that an economy will be effected by its introduction, but it is believed that more accurate figures showing the process-serving work performed in the province will be obtainable than hitherto.

11. Mr. W. E. Ward, C.S.I., who has since left the province, was in charge of the office of Judicial Commissioner, Lower Burma, throughout the year. The Chief Commissioner is indebted to Mr. Ward for his frequent and careful inspections of subordinate Courts, for the improvements suggested and introduced by him in the matter of process-serving establishments, and for the preparation of a revised edition of the Judicial Commissioner's circulars.

UPPER BURMA.

12. This is the first Criminal Justice Report for the whole of Upper Burma which has been received by the Chief Commissioner. In the Resolution on the Civil Justice Report an account has been given of the introduction of Judicial registers, reports, and statements into Upper Burma. The Reports for 1889 on criminal justice were superior in fulness and accuracy to those for civil justice, though they did not attain that degree of correctness which is expected in thoroughly settled provinces. With the necessary allowances, which have been made by the Judicial Commissioner, the Reports for 1889 give materials for useful comparison with those of 1890. A Judicial Commissioner was appointed for Upper Burma on the 26th July 1890 and though it was considered advisable to continue the operation of the Upper Burma Criminal Justice Regulation until the 31st December 1892, yet the points in which the criminal judicial system of Upper Burma now differs from that of Lower Burma and from the other regularly administered provinces of India are few and of small importance.

Statistics of offences.

13. The total number of cases reported in 1890 was 15,682 against 14,703 in 1889 and the number of cases reported as true was 14,924 against 14,260. The Chief Commissioner is glad to observe that the procedure regulating the classification of true and false cases is receiving the attention of the Judicial Commissioner, and it is to be expected that the Report for 1891 will exhibit less startling differences between neighbouring districts. The Magistrates have to remember that lazy police sergeants will endeavour to get many cases struck out as false which are really true, but in which they cannot detect the offender. The tranquillization of Upper Burma is indicated by a decrease of offences against the State from 134 to 26 cases and of dacoities from 1,311 to 311. The number of cattle thefts increased from 1,502 to 1,573, and though part of the increase may be put down to that more accurate reporting which naturally results from the improved working of the civil police and part to the use of quieter methods by men who used to obtain cattle by dacoity, the Chief Commissioner cannot too strongly impress on all Magistrates and Police Officers the necessity of watching and checking this form of crime. In 1883 there were only 936 such cases in Lower Burma, and with a vigorous administration of the track law and a careful supervision of slaughter-houses and cattle-markets, and of the trade in horns and hides

the number of cases in Upper Burma should be largely reduced. The number of murders decreased from 137 to 60. The increase in cases of assault and insult is of no serious importance, but the Chief Commissioner hopes that Magistrates will discourage applications to the Courts in cases which could be much better disposed of by headmen under the Village Regulation. The increase of prosecutions under special and local laws should be carefully watched as it is not politic to harass the people by prosecutions for petty offences. Opium smuggling and illicit distillation are not however as yet adequately detected and punished.

Disposal of business.

14. The total number of persons under trial was 21,956 against 21,578 in 1889. Of these 7,092 were acquitted or discharged and 13,511 were convicted. The proportion of acquittals and discharges is rather less than in Lower Burma, being 32·92 against 38·86 per cent., and the proportion of summary convictions is 15·77 against 18·97 per cent. The percentage of convictions and committals was 67·08, which is slightly lower than in 1889, but higher than the Lower Burma rate of 61·14 for 1890. The Judicial Commissioner will perhaps be able to give in next year's report a table showing the number of persons tried summarily similar to that provided in the Lower Burma report, since it is desirable to watch the exercise of summary powers, especially by Magistrates other than District Magistrates. The average duration of cases was five days for Courts of all kinds, five days in the Courts of Subordinate Stipendiary Magistrates, and seven days in the Courts of District Magistrates. These figures are satisfactory and compare favourably with those of Lower Burma. The number of witnesses called before the Courts increased by more than 7,000, and the average number of witnesses per case brought to trial was 2·3 against 2·8 in Lower Burma. The number of persons called on to give security for good behaviour was 452 out of 573 who were tried. Most use was made of the preventive law in the Ye-u district, where 139 persons out of 151 were convicted. The Chief Commissioner regrets that the percentage of convictions has diminished. He attaches importance to the careful working of the security law and to the trial of cases on the spot during Magistrates' tours.

Sessions cases.

15. Up to the 25th July 1890 Sessions cases were tried by District Magistrates and after that date by Commissioners of Divisions. The number of persons disposed of by the former was 98 and by the latter 104. The variations in the ratio of convictions to trials are extraordinary. Thus in Katha 24 persons out of 60 were acquitted by the District Magistrate, while in the neighbouring district of Shwebo only eight out of 116 were acquitted. The Commissioner, Central Division, acquitted one person out of 25, and the Commissioner, Southern Division, acquitted 16 out of 39. The average percentage of convictions before Commissioners was 68·75, which is nearly the same as the rate of 68·66 in Lower Burma during 1889. The Chief Commissioner thinks that the percentage of convictions should have been higher than it was, considering the comparative simplicity of cases in Upper Burma. It is to be feared that sufficient attention has not been paid by the police or the committing Magistrates to the proper preparation and prosecution of cases in the Sessions Courts.

16. The number of death sentences was 60 against 195 in the previous year. In Sessions Courts sentences of transportation for life diminished from 246 to 63 and of transportation for a term from 292 to 57. Besides these, 49 sentences of transportation were inflicted by District Magistrates under section 34 of the Criminal Procedure Code. In Magistrates' Courts sentences of whipping only formed 5·60 per cent. and sentences of whipping or fine combined with imprisonment formed 5 87 per cent. of the total number of punishments. The latter percentage is high on account of the provisions of section 7, sub-section (1), clause (*c*), of the Upper Burma Laws Act, but more use might be made of whipping as a single punishment. The number of short sentences of imprisonment (for 15 days and less) was only 232 less than in Lower Burma, though the total number of persons convicted was 23,000 less. In many of these cases whipping might probably with advantage have been substituted for a short term of imprisonment, which seldom does any good and often does harm to a criminal. From the fact that fines to the amount of Rs. 2,14,728 were imposed on 9,666 persons and that only Rs. 1,49,035 were realized, the Chief Commissioner is disposed to think that Magistrates in Upper Burma do not properly consider the means of persons on whom they impose fines. Whereas in Lower Burma the average fine was about Rs. 14 and the realizations were 83 per cent. of the impositions, in Upper Burma the average fine was about Rs. 22 and the realizations were only 69 per cent. of the impositions. These figures deserve attention, for there is no doubt that the average fine ought to be less in the upper province than in the lower because the average income of the people is less.

Sentences

17. The number of appeals has largely increased from 427 to 846. The proportion of sentences interfered with by District Magistrates and Sessions Judges was high, only 61 per cent. of the appeals being entirely unsuccessful. In District and Sessions Courts, and even more so in the High Courts (that is, the Commissioners' Courts up to the 25th July and after that date the Judicial Commissioner's Court), the interference with the orders of lower Courts largely took the form of a reduction rather than a reversal of sentence. In the Judicial Commissioner's Court the percentage of non-interference was 79·45. The Judicial Commissioner confirmed eight out of 19 sentences of death; the Commissioners sitting as High Courts confirmed 52 out of 60. The decrease of such sentences in the last five months of the year is gratifying. The revisional jurisdiction of a High Court was exercised in respect of 80 persons by Commissioners and in respect of 1,001 persons by the Judicial Commissioner. The sentences of 51 were reduced and of 331 reversed, but the Judicial Commissioner explains that the high apparent percentage of interference is misleading as it is mainly due to two cases. The exercise of the power conferred on District Magistrates by Paragraph XV, clause (3), of the Schedule to the Upper Burma Criminal Justice Regulation to revise the sentences of 2nd and 3rd class Magistrates has not been separately recorded in the report, but from Statement No. 6 it appears that they reversed 185, enhanced 35, and reduced 130 sentences, and ordered a new trial or further enquiry in 72 instances. While it is necessary that District Magistrates should scrutinize carefully the judgments of indigenous officials, whose knowledge of law is slight

Appeals.

and whose habit of mind is not severely judicial, the exercise of this power should be watched by Commissioners and will no doubt be checked by the Judicial Commissioner during his tours. As District Magistrates dealt with 2,211 persons during the year and passed final orders themselves in all but 73 cases the matter is one that calls for attention.

Financial.

18. The Judicial Commissioner says that the return showing the financial result of the Process-fee Rules is untrustworthy. It certainly seems unlikely that only 1,797 processes were issued when 26,969 witnesses were examined. It is probable that an amalgamation of the Civil, Criminal, and Revenue process-serving establishments, such as has been effected in Lower Burma, would be advantageous and the Chief Commissioner would be obliged if the Judicial Commissioner would keep the subject in mind. It does not press for immediate settlement.

19. The Chief Commissioner is indebted to Mr. Hodgkinson for the excellent work which, as the first Judicial Commissioner of Upper Burma, he has done during the last five months of 1890, in systematizing and improving the procedure and working of the Courts, and for the interesting report which, in spite of some difficulties, he has submitted.

By order of the Chief Commissioner,

F. C. GATES,

Junior Secretary.

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THE CRIMINAL JUSTICE REPORT OF LOWER BURMA FOR THE YEAR 1890.

PART I.

Courts exercising Jurisdiction in the Town of Rangoon.

SPECIAL COURT OF LOWER BURMA.

THE following table shows the number of persons who appealed during the year and the result :—

Court from which appeal preferred.	Number of persons whose appeals were pending from last year.	Number of persons who appealed during 1890.	Result.			
			Rejected.	Dismissed.	New trial ordered.	Pending.
Court of the Recorder of Rangoon exercising the powers of a Court of Session.	1	28	26	3	...	...

2. During the year capital sentences passed in two cases by the Recorder of Rangoon exercising the powers of a Court of Session were referred to this Court for confirmation and both were confirmed.

RANGOON :
The 6th March 1891.

W. F. AGNEW,
W. E. WARD,
Judges of the Special Court of Lower Burma.

COURT OF THE RECORDER OF RANGOON.

Report on the administration of criminal justice in the Courts of the Recorder and Magistrates of Rangoon for the year 1890.

DURING the year 43 cases were committed to this Court as a Court of Session and seven as a High Court, making in all 50 cases.

2. The following table shows the different Courts from which the commitments were made during the year in comparison with the previous year :—

By whom committed	1889.			1890.		
	As a Court of Session.	As a High Court.	Total.	As a Court of Session.	As a High Court.	Total.
Junior Assistant Magistrate, Rangoon	9	...	9	15	...	15
Assistant Town Magistrate, Rangoon	28	...	28	27	2	29
District Magistrate, Rangoon Town	...	...	...	1	3	4
Cantonment Magistrate, Rangoon ..	1	...	1	...	...	
District Magistrate, Yamèthin ...	...	1	1	...	...	...
District Magistrate, Kyauksè ...	...	1	1	...	...	
District Magistrate, Pegu ...	...	...	...	...	1	1
Cantonment Magistrate, Mandalay	...	...	...	...	1	1
Total ...	38	2	40	43	7	50

All these 50 cases were disposed of during the year.

3. The following table shows the number of persons sentenced and acquitted by this Court as a Court of Session and as a High Court :—

Convicted.	Acquitted.
36	35

4. The following table shows the different punishments inflicted by this Court as a Court of Session and as a High Court :—

	Persons sentenced to						Detail of punishment.								
		Transportation		Imprisonment.			Six months and under.		Two years and under.		Seven years and under.	Above seven years.	Fine		
	Death	For life.	For a term.	Rigorous.	Simple	Whipping in addition to rigorous imprisonment.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Rigorous.	Amount of fine.	Amount remitted.	Acquitted or withdrawn
													Rs	Rs	
As a Court of Session ...	3	...	.	32	...	...	...	...	7	...	24	1		...	29
As a High Court	...	..		1	..	...	...	...	...	...	1	..		..	6
Total	3	...	..	33	.	..	..	...	7	...	25	1	..	.	35

5. The capital sentences passed by this Court as a Court of Session on three persons were confirmed by the Special Court in the year 1890.

Seven European British subjects were tried during the year as against two in 1889.

Of the persons convicted and sentenced by the Recorder as a Court of Session during the year 27 appealed to the Special Court. Of these the appeals of 24 were rejected and three dismissed.

6. The following table shows the number of persons whose cases came before this Court on appeal and for revision together with the results :—

Magistrate from whose decision appealed.	Number of persons who appealed, including those pending from previous year.	Rejected.	Confirmed.	Undefended.	Reversed	New trial ordered.	Withdrawn.	Pending.
District Magistrate, Rangoon Town ..	10	9		1		...	...	..
Assistant Magistrate, Rangoon Town ...	160	98	28	17	14		..	3
Junior Assistant Magistrate, Rangoon Town	61	32	18	...	6	1	...	4
Honorary Magistrates ...	2		...	...	1	1		...
Sessions Judge, Pegu	1	1	...	...	...	..		
District Magistrate, Hanthawaddy ...	1		1		...		...	.
Total ...	235	140	47	18	21	2	.	7

Besides the above there were 12 references made to this Court as a High Court, 11 by the District Magistrate and one by the Assistant Magistrate, and there were three miscellaneous applications.

7. The following abstract shows the total criminal work of the Recorder's Court for the year 1890 :—

Sessions trials	50
References	12
Appeals and revisions	191
Miscellaneous	3
Total	256

as against 289 of all kinds in 1889.

THE MAGISTRATES' COURTS.

8. The subjoined table shows the number of offences, bailable and non-bailable, reported during the year and the number of persons brought to trial, convicted, and acquitted as compared with last year :—

Year.	Number of offences.			Number of offences brought to trial.	Number of persons brought to trial	Acquitted or discharged.	Convicted.	Committed.	Disposed of by local Government.	Died, escaped, or transferred.	Pending.
	Non-bailable.	Bailable.	Total.								
1889 ..	1,045	8,835	9,880	9,875	15,600	5,201	10,068	76	2	10	243
1890	1,127	7,023	8,150	8,150	12,822	4,595	7,887	61	5	4	270
Increase	82		...		..	..	...	.	3		27
Decrease ...		1,812	1,730	1,725	2,778	606	2,181	15	...	6	...

There was a total decrease of 1,730 cases reported as compared with last year of non-bailable and bailable, but an increase of 82 non-bailable and a decrease of 1,812 bailable. The decrease of the latter, the Magistrate states, is due principally to the decrease of cases under the Police Act, V of 1861, which may indicate that the people have become more amenable to the law in regard to nuisances falling under the Police Act and other special laws.

9. The following table shows the fluctuation of grave crimes as reported for the last few years :—

Year	With violence					Without violence		
	Against the person.				Against property.	Theft.	Others	Total.
	Under sections 302 and 307, I P. C	Grievous hurt	Hurt	Total.				
1884	27	18	139	184	28	1,491	108	1,599
1885 ...	13	32	176	221	23	1,331	90	1,421
1886	9	15	188	212	9	908	32	940
1887	12	12	416	440	10	985	49	1,034
1888 ...	9	32	423	464	15	944	77	1,021
1889	15	20	250	285	23	974	78	1,052
1890 ...	7	15	253	275	12	888	83	971

Murder has decreased from 15 to seven. Of these seven only three were actually committed in the year under report, the other four being committed in previous year, but sent up this year. The Magistrate observes that this appears satisfactory. Grievous hurt has decreased from 20 to 15, and the Magistrate also observes this decrease to be satisfactory, though small cases against property have fallen nearly 50 per cent., the number for 1889 being 23 against 12 this year.

10. The following table deals with less serious crime :—

Year.	Assault.	Insult.	Creating disturbance.	Nuisance, Act V.	Breach of local rules	Drunk and disorderly.	All others.	Total
1884	1,137	692	59	1,032	1,122	877	627	5,546
1885	1,259	919	55	1,109	1,846	921	621	6,730
1886	988	361	7	2,101	2,222	1,051	741	7,471
1887 ...	619	362	...	2,172	1,649	1,498	1,116	7,416
1888 ...	637	317	4	1,841	2,038	1,328	1,077	7,242
1889 ...	752	390	10	2,471	2,600	1,700	1,459	9,382
1890 ...	851	303	13	1,808	2,918	1,170	596	7,659

In this statement assaults seem to have increased by 99, while insults fell to 87. The most marked decreases falling in this statement are under the Police Act. Most of these cases falling under Act V and other petty nuisance cases were disposed of by the Bench of Honorary Magistrates.

11. The following table deals with the more serious offences for the last few years:—

Year	Against the person.								Against property		Theft		Others.		Total.	
	Murder		Grievous hurt		Hurt		Total									
	Reported	Brought to trial	Reported	Brought to trial	Reported	Brought to trial	Reported	Brought to trial	Reported	Brought to trial	Reported	Brought to trial	Reported	Brought to trial	Reported	Brought to trial
1884	27	27	18	18	139	139	184	184	28	18	1,491	752	108	67	1,590	539
1885	13	6	32	32	176	176	221	214	23	19	1,331	588	90	80	1,421	668
1886	9	8	15	12	188	184	212	204	9	6	908	579	32	32	940	611
1887 .. .	12	12	12	8	416	401	440	421	10	10	985	680	49	49	1,034	729
1888	9	9	32	18	423	420	464	447	15	13	940	685	77	50	1,017	735
1889	15	11	20	9	250	244	285	264	23	19	974	613	78	47	1,052	860
1890 . .	7	6	15	15	253	215	275	236	12	11	888	794	83	74	983	879

Murders have decreased from 15 to seven; but, as already remarked upon in Table 2, the actual cases during the year under report were three. Taking the table as a whole the Magistrate observes that the work of detection is very satisfactory as compared with last year's result.

12. The following statement shows the statistics of violent crime in greater detail:—

Offence.	Offences reported.		Offences brought to trial.		Persons committed and convicted.	
	1889.	1890.	1889	1890.	1889.	1890
Murder	13	5	9	4	7	6
Attempt at murder	2	1	2	1	2	1
Culpable homicide	8	1	8	1	5	1
Grievous hurt	20	15	9	15	20	9
Hurt	195	199	189	152	81	102
Hurt with dangerous weapon ...	55	54	55	63	46	54

The District Magistrate observes that, as far as the above figures go, they indicate the police have done their work well during the year. The percentage of convictions and committals appear to have increased nearly 30 per cent. as compared with last year's result.

13. The following table shows the number of offences against property with violence as compared with the previous year:—

Nature of offence.	Offences reported.		Offences brought to trial		Persons convicted or committed.	
	1889.	1890.	1889.	1890.	1889.	1890.
Dacoity	2	1	1	1	5	1
Robbery	23	11	19	10	23	12
Extortion	3	7	3	5	...	3
Total ..	28	19	23	16	28	16

Robberies (the District Magistrate says) have fallen from 23 to 11, while extortions have increased from three to seven. Many of the cases reported under this head were found on investigation to be false. Of the ten cases of robbery four were committed to the Sessions, and of the remaining six, one was struck off as false and two only were really violent crimes. These last offences were com-

mitted in the Pazundaung quarter. The District Magistrate observes that it is strange that a greater number of robberies have not been committed owing to the facility afforded for means of escape to bad characters who have committed violent crimes.

14. The following table shows the number of offences against property without violence as compared with the previous year:—

Nature of offence.	Number of offences reported.		Number of offences brought to trial.		Persons convicted or committed.	
	1889.	1890.	1889.	1890.	1889.	1890.
Housebreaking with theft ...	55	59	53	59	57	51
Theft	974	888	813	794	638	596
Receiving stolen property ...	35	33	27	28	25	18
Total ...	1,064	980	893	881	720	665

The District Magistrate observes that a decrease in thefts and of receiving stolen property during the year under report is satisfactory.

15. The following table shows the work performed by the several Magistrates, the results of trials held before them, and the state of their files at the close of the year:—

Class of tribunal.	Number of persons under trial during the year.	Discharged without trial.	Acquitted or discharged.	Convicted.	Committed.	Died, escaped, or transferred.	Remaining under trial.	
							In custody.	On bail or recognizance.
District Magistrate	113	...	41	68	4	...	...	...
Assistant Magistrate	3,334	123	1,223	1,717	40	2	50	178
Junior Assistant Magistrate ...	2,394	157	744	1,448	17	1	8	15
Cantonment Magistrate	812	18	190	590	...	1	...	13
Honorary Magistrates	6,169	519	1,580	4,064	...	...	...	6
Total ...	12,822	817	3,778	7,887	61	4	58	212

The District Magistrate says the criminal judicial work of the town has decreased during the year under report; but, comparing the year's figures with those of last year, it will be seen that the work of the District Magistrate and Assistant Magistrates has increased, while there has been a corresponding decrease in the work done by the Bench of Honorary Magistrates. From July 1890 a separate Magistrate was appointed for the Cantonment, which helped the Assistant Magistrate in a great measure and left him with more time for the trial of complicated cases arising in his Court. The District Magistrate also says that, as the working of the Income-tax Office has been placed personally on himself from the end of May last, the close attention it requires prevents his doing much judicial work.

16. The following table shows the punishments inflicted by the different Magistrates :—

Class of tribunal.	Persons sentenced to							Amount of fine.		
	Solitary confinement.	Imprisonment. Simple.	Imprisonment. Rigorous.	Fines.	Whipping.	Give recognizance or security to keep the peace.	Give security for good behaviour.	Imposed.	Realized.	Awarded as compensation.
								Rs. A. P.	Rs. A. P.	Rs. A. P.
District Magistrate	...	1	29	24	15	...	16	735 0 0	735 0 0	10 0 0
Assistant Magistrate	1	35	407	1,195	219	13	21	24,155 2 0	17,065 0 0	87 0 0
Junior Assistant Magistrate ...	...	8	175	1,136	137	...	26	12,912 12 0	9,338 5 9	575 8 0
Cantonment Magistrate	...	2	32	546	2	...	...	2,683 3 6	2,616 3 6	290 4 0
Honorary Magistrates	...	...	2	4,062	...	...	...	12,136 0 4	11,317 0 4	120 0 0
Total ...	1	46	645	6,963	373	13	63	52,622 1 10	41,071 9 7	1,082 12 0

The District Magistrate observes on the whole punishments inflicted during the year are satisfactory.

17. The following table shows the detention of witnesses and the average duration of cases :—

Class of tribunal.	Number of witnesses discharged after				Average duration of cases.	
	One day.	Two days.	Three days.	More than three days.	For previous year.	For year under review.
District Magistrate	182	152	85	8	6	4·11
Assistant Magistrate	1,885	1,952	231	193	3	5·02
Junior Assistant Magistrate ...	1,268	1,716	400	14	3	6·97
Cantonment Magistrate ...	548	240	57	21	2	2·52
Honorary Magistrates	4,543	448	106	1	1	1·83
Total ...	7,866	4,508	879	232	...	...

The District Magistrate says that the long detention of witnesses is due to the fact that the Junior Assistant Magistrate was not invested with summary powers till late in the year.

18. The following is the statement of shipping casualties investigated by order of the Chief Commissioner under Act V of 1883 and Act VII of 1883 and rules framed thereunder :—

No.	Subject.
1	Relative to a collision between S. S. *Glucksburg* and H. M.'s *Rugby*.
2	Relative to a collision between S. S. *Pachumba* and the Italian barque *Raffo*.
3	Relative to the drowning of the Settlement Clerk Maung Pu at Danubyu.
4	Relative to the grounding of the S. S. *Shahjehan*.
5	Relative to the loss of the British schooner *P. H. Bunfield*.

The District Magistrate observes that it is satisfactory to note a large decrease has occurred in these casualties. Last year the number was 11 as compared with five this year.

19. The following statement shows the Magistrates who have acted in Rangoon Town district during the year 1890 :—

Name.	Designation.	Remarks.
Mr. D. Norton, C.S.	District Magistrate	From 1st January to 15th May 1890.
Mr. A. L. Hough	District Magistrate ...	From 1st May till end of year.
Mr. D. L. M. Mackay, C.S. ...	Assistant Magistrate, also Cantonment Magistrate.	From 1st February to 1st May 1890.
Mr. D. Norton, C.S.	Took charge as Cantonment Magistrate.	From 1st to 2nd May 1890.
Mr. A. P. Pennell, C.S. ...	Assistant Magistrate	From 2nd May to 20th July 1890.
Mr A. P. Pennell, C.S. ...	Cantonment Magistrate ...	From 2nd May to 14th July 1890.
Mr. T. J. Metcalfe	Assistant Magistrate	From 14th July till end of year.
Captain R. L. Milne ...	Cantonment Magistrate ..	From 14th July till end of year.
Maung Pè	Junior Assistant Magistrate	From 1st January to 21st June 1890.
Maung Tet Kaing	Junior Assistant Magistrate ...	From 21st June till end of year.

Fourteen Honorary Magistrates ; one died—13.

RANGOON :
The 13th May 1891.

W. F. AGNEW,
Recorder.

PART II.

Courts under the Supervision of the Judicial Commissioner.

From W. E. WARD, Esq., C.S.I., Judicial Commissioner, Lower Burma, to the Secretary to the Chief Commissioner, Burma,—No. 535-37, dated the 3rd June 1891.

I HAVE the honour to forward herewith the criminal justice returns of Lower Burma for the year 1890. As in previous years the prescribed statements appended to the report include the district of Rangoon, whereas the report and tables included in it deal only with my own Court and the Courts subordinate thereto. The plan of the report is the same as that adopted last year, but the tables have been slightly altered in form and one or two new tables have been added. The appended prescribed statements are the same as those submitted in the previous year.

I.—REPORTED CRIME.

2. The total number of offences reported and the total number of offences returned as true, as compared with the figures for the previous year, are shown below:

Division	Name of district.	Cases reported.		Cases rejected under section 203 of the Criminal Procedure Code.		Cases declared false or not entered as true.		True cases.		Percentage of true to reported cases.	
		1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
ARAKAN	Akyab	2,662	2,518	59	70	...	22	2,603	2,426	97·78	96·34
	Kyaukpyu	1,320	1,181	11	17	10	19	1,299	1,145	98·41	96 95
	Sandoway	556	738	1	3	6	16	549	719	98·74	97 43
	Northern Arakan	17	23	3	...	...	1	14	22	82 35	95 65
	Total ...	4,555	4,460	74	90	16	58	4,465	4,312	98·02	96·68
PEGU	Hanthawaddy	1,713	1,504	8	5	46	97	1,659	1,402	96·85	93 22
	Pegu	3,387	2,348	83	25	53	132	3,251	2,101	95 98	93 31
	Tharrawaddy	2,497	2,544	87	8	45	82	2,365	2,454	94·71	96 46
	Prome	5,607	4,828	40	15	11	6	5,646	4,807	99·10	99·57
	Total ...	13,294	11,224	218	53	155	317	12,921	10,854	97·19	96 70
IRRAWADDY	Henzada	3,902	3,386	9	10	304	47	3,649	3,329	92·10	98·31
	Bassein ...	4,256	3,822	144	93	85	145	4,027	3,585	94 62	93·80
	Thôngwa ...	3,505	3,415	31	30	341	76	3,133	3,309	89 39	96·90
	Thayetmyo	1,962	1,876	..	23	58	110	1,904	1,743	97·04	92 91
	Total ...	13,685	12,499	184	155	788	378	12,713	11,966	92 90	95 73
TENASSERIM	Amherst	4,432	3,886	34	69	57	70	4,341	3,747	97·95	96 42
	Shwegyin	2,534	1,811	11	7	40	15	2,483	1,769	97 99	98 78
	Toungoo	1,465	1,379	6	22	46	27	1,413	1,330	96 45	96 45
	Tavoy	528	738	...	4	...	142	528	592	100·00	80·22
	Mergui	536	483	...	37	47	18	489	428	91·22	88·61
	Salween ..	108	91	...	...	32	2	76	89	70·37	97 80
	Total ...	9,603	8,388	51	139	222	274	9,330	7,975	97 15	94·98
	GRAND TOTAL ...	41,137	36,571	527	477	1,181	1,027	39,429	35,107	95 85	96 00

With reference to the remarks made upon this table in my reports for the years 1888 and 1889 I have made full enquiries in the course of the past year in every district that I have inspected with a view to ascertain from what

sources the several Courts obtain their figures for the above table and for Judicial Statement No. 2 appended to this report, of which the table is an extract, and also with a view to reconciling the figures relating to reported crime as given in Judicial Statement 2 and Police Statement A, Parts I and II. The result of these enquiries has been that, although in some districts mistakes have been made in compiling the judicial figures, these figures are on the whole approximately correct, and that the cause of discrepancies between the judicial and police statements is that many District Superintendents do not understand Police Statement A and therefore prepare that statement incorrectly. Not only have I found this to be the case with respect to the police figures of reported crime for 1889, to which my enquiries were directed in the past year; the police figures of 1890 are I find also incomplete in many districts. This I have ascertained by calling upon every District Magistrate to compare the judicial figures of reported crime as given for the past year in his Annual Judicial Statement 2, column 3, with the figures of reported crime as given in column 4 of Part I of Police Statement A *plus* column 7 of Part II of the same statement, and to explain the discrepancies where any are found to exist. In almost every district discrepancies do exist and the explanations given show that the police statements have been incorrectly prepared. This matter will be more fully reported on in a separate communication.

The table given above shows a decrease in 1890 of no less than 4,566 reported cases and of 4,322 true cases. Every division contributes to this decrease and so also does every district except Sandoway, Northern Arakan, Tharrawaddy, Thôngwa, and Tavoy. The districts that show the largest decreases in true reported crime are Pegu (1,060), Prome (839), Amherst (594), Bassein (442), and Shwegyin (694). The Deputy Commissioner of Pegu gives no explanation of the large decrease in his district. In Prome and Shwegyin the decrease is due to the quieter state of the country; in Bassein it is due almost entirely to a falling off in special and local Act cases, and in Amherst to the same cause as well as to a large decrease in offences against property.

The statement below separates for the past six years the true cases reported under the Penal Code from those reported under special or local Acts :—

Year.	True cases reported		Total.
	Under Penal Code.	Under special and local laws	
1885	28,554	18,246	36,800
1886	28,181	11,052	34,233
1887	24,400	12,688	37.088
1888	26,022	12,901	38,923
1889	26,952	12,477	39,429
1890	24,026	11,081	35,107

These figures show that there has been a considerable decrease in true reported cases both under the Penal Code and under special and local laws.

The percentage of true to reported cases is 96·00 against 95·85 in the previous year.

3. The following table shows the increase and decrease of true cases under the main heads of crime in each district:—

True Offences reported under each class in the year 1890 as compared with the previous year.

Division	Name of district	Year	Offences against the State, Chapter VI	Offences against the Army and Navy, Chapter VII.	Offences against the public tranquillity, Chapter VIII.	Offences by, or relating to, public servants, Chapter I.	Contempts of the lawful authority of public servants, Chapter X	False evidence and offences against public officers, Chapter XI	Offences relating to coin and Government stamps, Chapter XII	Offences relating to weights and measures, Chapter XIII	Offences affecting the public health, safety, convenience, decency, and morals, Chapter XIV	Offences relating to religion, Chapter XV.	Offences affecting the human body, Chapter XVI	Offences against property, Chapter XVII	Offences relating to documents and to trade or property marks, Chapter XVIII	Criminal breach of contracts and service, Chapter XIX.	Offences relating to marriage, Chapter XX.	Defamation, Chapter XXI	Criminal intimidation insult, or annoyance, Chapter XXII	Offences under special and local laws	Total of true offences reported	Remarks.
			Offences under the Indian Penal Code																			
Arakan	Akyab	1889	...	...	30	1	17	64	2	2	72	1	446	715	4	1	12	8	47	1,170	2,603	Two abetments under Chapter V One abetment, under Chapter V.
		1890	..	...	19	7	12	48	...		74	3	434	629	2	3	10	7	67	1,110	2,426	
	Kyaukpyu	1889	..	...	13	...	10	20	..	...	61	5	215	568	...		3	...	20	384	1,299	
		1890		...	16	1	17	25	...	...	102	1	156	324	1	..	3	6	55	438	1,145	
	Sandoway	1889	...	...	4	4	2	10	..	2	25	2	86	306	...	..	.	1	16	91	549	
		1890	1	...	6	1	5	24	...	..	86	...	74	337	..	2	2	1	24	156	719	
	Northern Arakan	1889	..	...	.	...	...	1	...	..	...	..	3	6	..	.	..	...	.	4	14	
		1890	...	...	...	...	...	1	..	..	..	...	3	12	.	...	.	2	3	1	22	
	Total	1889	...	...	56	5	29	95	2	4	158	8	750	1,595	4	1	15	9	83	1,649	4,465	Two abetments under Chapter V One abetment, under Chapter V
		1890	1	...	41	9	34	98	...	..	262	4	667	1,302	3	5	15	16	149	1,705	4,312	
Pegu	Hanthawadddy	1889	...	...	22	6	3	36	.	1	54	9	271	816		..	6	5	128	302	1,659	
		1890	...	...	33	1	.	12	2	2	73	...	253	651	5	1	2	3	66	298	1,402	
	Pegu	1889	...	...	16	21	7	88	2	..	76	.	381	1,707	2	1	20	3	47	880	3,251	
		1890	...	.	17	5	19	25	3	4	2	2	342	951	1	...	12	3	43	762	2,191	
	Tharrawaddy	1889	...	...	32	14	14	68	3	1	101	4	299	981	2	2	13	4	26	801	2,365	
		1890	2	..	44	14	6	44	2	1	112	1	379	1,102		1	17	3	13	713	2,454	
	Prome	1889	...	...	72	22	8	116	5	41	35 6		811	2,100	1	...	11	13	303	1,787	5,646	
		1890	...	..	42	5	...	87	3	5	341	38	717	2,032	...	...	.	16	222	1,299	4,807	
	Total	1889		...	142	63	32	308	10	43	587	13	1,762	5,604	5	3	50	25	504	3,770	12,921	
		1890	2	.	136	25	25	168	10	12	528	41	1,691	4,736	6	2	31	25	344	3,072	10,854	
Irrawaddy	Henzada	1889	...	...	34	23	12	50	1	2	53	2	302	1,307	...	..	9	4	98	1,752	3 649	
		1890	...	...	27	16	5	21	3		66	2	375	1,117	3	...	13	4	131	1,546	3,329	
	Bassein	1889	..	...	27	32	36	103	7	4	285	9	762	1,189	4	2	34	17	335	1,181	4,027	
		1890	...	..	22	12	19	41	2	5	275	16	648	1,463	3	1	22	6	294	756	3,585	
	Thôngwa	1889	3	..	51	33	12	43	4	1	236	2	615	960	1	..	20	12	247	893	3,133	
		1890	1		52	22	13	33	..	...	203	2	511	1,199	1		18	5	184	1,065	3,309	
	Thayetmyo	1889	...	...	6	13	30	125	3	.	89		303	790	3	.	7	11	61	463	1,904	
		1890		...	13	8	20	65	5		70	1	293	669	5	...	12	15	90	477	1,743	
	Total	1889	3	...	118	101	90	321	15	7	663	13	1,982	4,246	8	2	70	44	741	4,289	12,713	
		1890	1	..	114	58	57	160	10	5	614	21	1,997	4,448	12	1	65	30	699	3,544	11,966	
	Carried over	1889	3	..	316	169	151	124	27	54	1,408	34	4,491	11,448	17	6	185	76	1,398	9,708	30 099	
		1890	4	...	291	92	116	426	20	17	1,404	66	4,185	10 486	21	8	111	71	1,192	8,621	27,133	

Division.	Name of district.	Year.	Offences against the State, Chapter VI.	Offences against the Army and Navy, Chapter VII.	Offences against the public tranquillity, Chapter VIII.	Offences by, or relating to, public servants, Chapter IX.	Contempts of the lawful authority of public servants, Chapter X.	False evidence and offences against public officers, Chapter XI.	Offences relating to coin and Government stamps, Chapter XII.	Offences relating to weights and measures, Chapter XIII.	Offences affecting the public health, safety, convenience, decency, and morals, Chapter XIV.	Offences relating to religion, Chapter XV.	Offences affecting the human body, Chapter XVI.	Offences against property, Chapter XVII.	Offences relating to documents and to trade or property marks, Chapter XVIII.	Criminal breach of contracts and service, Chapter XIX.	Offences relating to marriage, Chapter XX.	Defamation, Chapter XXI.	Criminal intimidation, insult, or annoyance, Chapter XXII.	Offences under special and local laws.	Total of true offences reported.	Remarks.
	Brought forward	1889	3	...	316	169	151	724	27	54	1,408	34	4,494	14,445	17	6	135	78	1,328	9,708	30,099	
		1890	4	...	291	92	116	426	20	17	1,404	66	4,185	10,486	21	8	111	71	1,192	8,621	27,132	
Tenasserim.	Amherst	1889	...	...	10	6	19	37	5	...	79	...	667	1,583	3	2	30	7	342	1,550	4,341	One case attempt to cause hurt, section 511.
		1890	...	...	11	14	11	25	4	...	86	2	580	1,356	1	...	22	5	257	1,373	3,747	
	Shwegyin	1889	3	1	16	6	14	38	4	...	234	...	275	1,044	8	2	4	7	221	606	2,483	
		1890	...	...	16	9	11	37	1	...	138	2	345	643	7	...	17	10	140	413	1,789	
	Toungoo	1889	...	...	2	3	5	20	5	...	69	...	260	691	1	3	1	4	26	322	1,413	
		1890	1	...	4	5	7	23	3	...	57	...	202	513	1	3	8	16	70	417	1,330	
	Tavoy	1889	1	...	5	1	10	9	...	...	25	2	109	247	1	...	3	3	26	85	528	One case abetment, Chapter V.
		1890	...	...	4	1	12	14	...	...	17	3	168	246	1	1	2	1	40	82	592	
	Mergui	1889	...	...	7	1	8	7	...	...	2	...	101	141	1	...	...	...	39	182	489	
		1890	...	...	4	2	2	1	...	...	7	1	95	132	...	1	1	...	30	152	428	
	Salween	1889	...	...	2	...	...	...	...	...	1	2	26	17	...	1	1	1	2	23	76	
		1890	...	...	...	...	1	1	...	...	3	...	9	46	...	...	2	2	2	23	89	
	Total	1889	4	1	42	17	56	111	14	...	410	4	1,438	3,723	14	8	39	22	656	2,769	9,330	
		1890	1	...	39	31	44	101	8	...	308	8	1,399	2,936	10	5	52	34	539	2,460	7,975	
	Grand Total	1889	7	1	358	186	207	835	41	54	1,818	38	5,932	15,168	31	14	174	100	1,984	12,477	39,429	
		1890	5	...	330	123	160	527	28	17	1,712	74	5,584	13,422	31	13	163	105	1,731	11,081	35,107	
	Increase ...	...	...	...	...	...	...	...	...	...	...	36	...	...	...	...	...	5	...	...	...	
	Decrease ...	...	2	1	28	63	47	308	13	37	106	...	348	1,746	...	1	11	...	253	1,396	4,322	

OFFENCES UNDER THE INDIAN PENAL CODE.

4. The annexed tables show in a collected form the principal offences against the person and against property for the two past years:—

Offences affecting the Human Body.

Offence.	Reported cases.		True cases.	
	Previous year.	This year.	Previous year.	This year
Murder	186	126	180	122
Attempt at murder	26	12	25	9
Culpable homicide	26	33	26	31
Attempt at culpable homicide	2	1	2	1
Grievous hurt	467	482	457	470
Rape	166	174	114	126
Unnatural offences	10	12	6	9
Hurt	1,948	1,799	1,893	1,767
Criminal force and assault	2,975	2,921	2,884	2,779

Offences against Property.

Offence.	Reported cases.		True cases	
	Previous year.	This year.	Previous year.	This year.
Dacoity	555	240	538	230
Robbery, including attempts	347	285	333	249
Housebreaking and lurking house-trespass	1,134	872	1,107	837
Other house-trespass	482	548	446	517
Criminal trespass	442	400	419	325
Cattle-theft	2,829	2,080	2,698	2,008
Other thefts and receiving stolen property	8,834	8,337	8,057	7,776

The most noticeable features in the above tables are the large decrease in the number of murders, dacoities, and robberies, and also a decrease in cattle-thefts. I give below the figures for robbery and dacoity cases for the past seven years, which show how rapidly we are approaching the peaceful times prior to the annexation of Upper Burma:—

Year.	Number of true cases reported.	
	Robbery.	Dacoity.
1884	... 194	120
1885	... 204	125
1886	... 585	2,156
1887	... 517	1,529
1888	... 515	904
1889	.. 333	538
1890	... 249	230

Out of the 230 dacoity cases 46 occurred in Thayetmyo, 32 in Bassein, 28 in Akyab, and 21 each in Pegu and Prome. Out of the 249 robberies 38 occurred in Bassein, 33 in Pegu, 31 in Tharrawaddy, and 24 in Prome.

It is satisfactory to notice that there is at last a decrease in the number of true cattle-theft cases reported. In 1883 there were only 936 such cases reported; since then the number has gone on steadily increasing every year till in 1889 it reached 2,698 cases. Last year the number was 2,008. I give below the districts in which this class of crime was most prominent in the past two years:—

District	True cattle-theft cases reported. 1890.	1889.
Prome	559	554
Tharrawaddy	257	206
Amherst	248	376
Pegu	221	583
Hanthawaddy	153	181
Thayetmyo	132	118
Toungoo	114	199
Henzada	103	122
Shwegyin	83	137

It will be observed that the principal decrease in this class of cases has occurred in the Pegu, Amherst, and Toungoo districts. The Deputy Commissioner of Pegu gives no explanation. The Deputy Commissioner of Amherst says that in his district the decrease cannot be attributed to the application of the track law, which in his district is a dead-letter. He seems disposed rather to attribute the decrease to the fact that the figures submitted by him for 1889 were wrong and included cases which should not have been entered in the returns. The Deputy Commissioner of Toungoo attributes the decrease in his district to the working of the track law; but the Commissioner says that, so far as he is aware, the Lower Burma Village Act has not been brought into operation in any single case of cattle-theft in Toungoo.

The Criminal Courts continue to deal severely with offenders in this class of cases and cases rarely come before me in which the sentences are inadequate.

There has been a decrease altogether of 348 true cases against the person. The figures given below are interesting as showing how far heinous offences against the person have increased or decreased in the past seven years:

Offence.	True cases reported in 1884.	1885.	1886.	1887.	1888.	1889.	1890.
Murder, including attempts ...	162	150	257	208	191	205	181
Culpable homicide, including attempts...	36	37	32	44	38	28	32
Grievous hurt	301	310	341	354	362	457	470
Rape and unnatural offences ...	109	92	115	133	118	120	135
Hurt	1,720	1,618	1,165	1,524	1,698	1,893	1,767
Criminal force and assault	2,705	2,649	2,718	2,624	2,798	2,884	2,779

It will be seen that murders have decreased considerably as compared with the figures for the past four years, and for the past six years the figures for 1890 are the lowest. The other offences against the person last year as compared with the figures for 1889 show a slight increase except in cases of hurt and criminal force and assault, which show a decrease of 126 and 105 cases respectively.

Offences against special and local laws show a decrease of 1,396 true reported cases. Bassein shows a decrease of 425 and Prome of 488 cases.

II.—ORIGINAL JURISDICTION.

5. The following table shows the effective strength of the magistracy in each district of Lower Burma at the close of the year:—

Number and distribution of Magistrates.

Division.	Name of district	At district headquarters.						At subdivisional headquarters other than headquarters of district.						At township headquarters other than headquarters of district or subdivision.					
		Stipendiary Magistrates.				Honorary Magistrates sitting singly and special Magistrates under section 14, Criminal Procedure Code.	Benches of Honorary Magistrates.	*Stipendiary Magistrates.*				Honorary Magistrates sitting singly and special Magistrates under section 14, Criminal Procedure Code.	Benches of Honorary Magistrates.	*Stipendiary Magistrates.*				Honorary Magistrates sitting singly and special Magistrates under section 14, Criminal Procedure Code.	Benches of Honorary Magistrates.
		First class including District Magistrates.	Second class.	Third class.	Total.			First class.	Second class.	Third class.	Total.			First class.	Second class.	Third class.	Total.		
Arakan.	Akyab	4	...	...	4	...	1	2	...	...	2	...	...	...	3	2	5	...	...
	Kyaukpyu ...	2	...	..	2	...	1	...	...	...	...	...	...	2	1	1	4	...	1
	Sandoway	2	...	...	2	...	...	...	...	...	...	...	...	...	2	...	2	.	...
	Northern Arakan ...	1	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Total ...	9	...	...	9	...	2	2	...	...	2	...	..	2	6	3	11	..	1
Pegu.	Hanthawaddy ...	1	...	1	2	...	...	1	...	...	1	...	...	...	3	1	4	...	
	Pegu	3	...	..	3	...	1	1	1	...	2	...	...	...	4	...	4	3	.
	Tharrawaddy ...	2	1	...	3	...	...	1	...	...	1	...	...	3	2	1	6	.	...
	Prome	3	...	..	3	...	1	3	...	1	4	..	..	2	1	1	4	.	...
	Total ...	9	1	1	11	...	2	6	1	1	8	...	.	5	10	3	18	3	
Irrawaddy	Henzada	1	1	1	3	...	1	2	...	...	2	...	...	2	1	1	4	...	...
	Bassein	3	...	1	4		1	2	...	...	2	...	...	1	5	2	8	...	.
	Thongwa	2	...	...	2	...	...	3	1	1	5	...	1	1	2	...	3	1	.
	Thayetmyo ...	3	1	.	4	...	...	2	2	..	4	...	...	2	2	1	5	1	...
	Total ...	9	2	2	13	...	2	9	3	1	13	...	1	6	10	4	20	2	...
Tenasserim.	Amherst	1	2	...	3	...	1	3	1	1	5	...	1	1	6	3	10	...	...
	Shwegyin	2		1	3	...	1	2	1	1	4	1	...	1	1	...	2	...	...
	Toungoo	3	...	1	4	...	1	...	...	...	...	.	...	1	2	2	5	1	...
	Tavoy	1	2	...	3	...	1	...	...	...	...	...	...	1	1	1	3	...	...
	Mergui	1	...	1	2	...	...	...	1	...	1	...	...	...	2	2	4	...	...
	Salween	1	...	1	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	9	4	4	17	...	4	5	3	2	10	1	1	4	19	8	24	1	...
	Grand Total ..	36	7	7	50	...	10	22	7	4	33	1	2	17	38	18	73	6	1

Excluding District Magistrates, the number of whom is fixed, the above statement may be summarized thus and compared with the corresponding figures of 1889 :

Year.	Honorary Magistrates sitting singly.	Benches of Honorary Magistrates.	Other Magistrates, excluding District Magistrates.	Total.
1889	4	14	148	166
1890	7	13	138	158

6. The following table shows the work done by the different classes of Magistrates and to what extent Magistrates used their summary powers :—.

Cases disposed of by Magistrates under summary powers.

Division.	Name of district.	Total cases tried by Stipendiary and Honorary Magistrates.			Number of cases tried summarily.			Percentage of cases tried summarily to total cases tried.
		By Magistrate of district.	By other Magistrates.	Total.	By Magistrate of district.	By other Magistrates.	Total.	
Arakan.	Akyab	76	2,301	2,377	1	768	769	32·35
	Kyaukpyu	196	932	1,128	14	77	91	8·07
	Sandoway	155	387	542	79	...	79	14·58
	Northern Arakan	16	...	16	3	...	3	18·75
	Total ...	443	3,620	4,063	97	845	942	23·18
Pegu.	Hanthawaddy	212	1,091	1,303	...	29	29	2·23
	Pegu	59	1,528	1,587	2	278	280	17·64
	Tharrawaddy	146	1,873	2,019	4	14	18	·90
	Prome	109	4,204	4,313	12	657	669	15·51
	Total ...	526	8,696	9,222	18	978	996	10·80
Irrawaddy.	Henzada	108	2,748	2,856	2	437	439	15·37
	Bassein	76	2,842	2,918	...	383	383	13·13
	Thôngwa	89	2,795	2,884	...	527	527	18·27
	Thayetmyo	124	1,580	1,704	16	27	43	2·52
	Total ...	397	9,965	10,362	18	1,374	1,392	13·43
Tenasserim.	Amherst	141	3,161	3,302	...	970	970	29·38
	Shwegyin	97	1,408	1,505	11	245	256	17·01
	Toungoo	128	939	1,067	6	89	95	8·90
	Tavoy	86	320	406	28	9	37	9·11
	Mergui	190	268	458	60	...	60	13·10
	Salween	43	19	62	4	...	4	6·45
	Total ...	685	6,115	6,800	109	1,313	1,422	20·91
	Grand Total 1890 ...	2,051	28,396	30,447	242	4,510	4,752	15·61
	In 1889 ...	3,019	29,813	32,832	368	4,364	4,732	14·41

The total number of cases disposed of by all classes of Magistrates, Stipendiary and Honorary, was 30,447 as compared with 32,832 cases disposed of in the previous year. The most noticeable variations occurred in the following districts :—

Bassein	545
Amherst	387
Henzada	311

The Deputy Commissioners, Bassein and Henzada, attribute their decrease of work to decrease in serious crime. The Deputy Commissioner, Amherst, does not offer any explanation.

The number of cases summarily disposed of last year by District Magistrates was only 242 against 368 cases so disposed of in 1889. Other Magistrates disposed of 4,510 cases by this procedure, being an increase of 146 cases over the previous year. The percentage of cases disposed of summarily by all Magistrates to total cases disposed of has steadily risen from 9·43 in 1887 to 15·61 in the year under report.

District Magistrates disposed of 2,051 cases against 3,019 cases disposed of in the previous year. Three hundred and twenty-seven cases were disposed of under their special powers against 581 cases so disposed of in 1889.

7. The next table shows the number of cases and persons disposed of by Honorary Magistrates, including Benches and Special Magistrates, in the past two years.

Work done by Honorary Magistrates, including Benches and Special Magistrates.

Division.	Name of district.	Cases disposed of.		Persons disposed of.	
		1890.	1889.	1890.	1889.
Arakan ...	Akyab	675	730	746	811
	Kyaukpyu	77	70	116	118
	Sandoway	...	...	...	...
	Northern Arakan	...	...	...	...
	Total ...	752	800	862	929
Pegu ...	Hanthawaddy	.	...	...	...
	Pegu .. .	204	195	355	235
	Tharrawaddy	...	...	...	...
	Prome ...	597	770	922	1,241
	Total ...	801	965	1,277	1,476
Irrawaddy ...	Henzada	483	186	585	217
	Bassein	293	488	518	748
	Thôngwa	126	151	271	308
	Thayetmyo	55	207	78	239
	Total ..	907	977	1,442	1,512
Tenasserim	Amherst	920	1,415	1,300	1,935
	Shwegyin	162	150	298	234
	Toungoo	92	122	186	188
	Tavoy	9	17	23	23
	Mergui	...	.	...	...
	Salween	...	...	...	...
	Total ..	1,183	1,704	1,807	2,380
	Grand Total ...	3,643	4,446	5,388	6,297
	Percentage to total disposed of by all Magistrates.	11·96	13·54	10·88	11·98

Fewer cases and persons were disposed of by Honorary Magistrates last year than in the year previous. The work done by this class of Magistrates is well reported on by District Magistrates.

8. The following table compares the results of inquiries and trials before Magistrates during the past two years for the whole district :—

Result of Trials and Inquiries by Magistrates.

Division.	District.	Persons					Percentage of convictions, committals, and references (column 4) to total tried (columns 4 and 5).		Average duration of cases.	
		Under trial.	Convicted, committed, or referred.	Acquitted or discharged.	Died, escaped, or transferred.	Pending.	Last year.	Previous year.	Last year.	Previous year.
1	2	3	4	5	6	7	8	9	10	11
Arakan.	Akyab	3,312	1,929	1,300	4	79	59·74	63·66	7	7
	Kyaukpyu ...	1,710	1,058	608	6	48	63·59	70·28	4	3
	Sandoway ...	785	538	231	...	16	70·00	60·88	5	6
	Northern Arakan ...	18	10	8	...	...	55·56	51·11	4	16
	Total ...	5,825	3,580	2,142	10	143	62·24	65·09	6	6
Pegu.	Hanthawaddy ...	2,757	1,501	1,189	8	59	55·80	54·33	10	10
	Pegu	2,621	1,648	864	19	90	65·61	58·90	6	7
	Tharrawaddy ...	3,398	2,271	1,065	14	48	68·08	66·62	7	7
	Prome	6,866	4,473	2,304	11	78	66·00	67·39	7	7
	Total	15,642	9,893	5,422	52	275	64·60	63·52	7	7
Irrawaddy.	Henzada	4,046	2,359	1,615	16	56	59·86	63·39	8	6
	Bassein	5,401	2,490	2,691	69	151	48·06	49·71	10	11
	Thôngwa	5,952	3,285	2,495	25	197	56·46	54·09	7	7
	Thayetmyo ..	2,804	1,714	1,025	11	54	62·58	64·60	8	10
	Total ...	18,203	9,798	7,826	121	458	55·60	56·80	8	8
Tenasserim.	Amherst	5,087	2,864	2,069	7	97	58·05	56·77	6	6
	Shwegyin	2,641	1,579	980	1	81	61·70	59·08	5	7
	Toungoo	1,921	1,179	740	...	2	61·44	65·52	4	5
	Tavoy	690	423	261	...	6	61·84	64·16	7	8
	Mergui	727	545	176	2	4	75·59	76·60	6	3
	Salween	85	51	33	...	1	60·71	65·79	5	9
	Total ...	11,101	6,641	4,259	10	191	60·98	60·43	5	6
	Grand Total 1890	50,771	29,862	19,649	198	1,067	60·31	...	7	...
	In 1889 ...	54,212	31,873	20,702	401	1,286	...	60·62	...	7

It is curious to notice how steady the proportion of convictions and committals to total persons tried has remained for the past three years. In 1888 it was 60·61, in 1889 60·62, and last year it was 60·31. In my report for 1889 I compared these percentages with that of other provinces in India. It is unnecessary to repeat this comparison. As in the previous two years the best results have been obtained in Mergui (75·59) and the worst results in Bassein (48·06). Northern Arakan (55·56), Hanthawaddy (55·80), and Thôngwa (56·46) also show low percentages of convictions, while on the other hand the percentages in Sandoway (70), Tharrawaddy (68·08), Prome (66), and Pegu (65·61) are very high.

The proportion of convictions in cases under special and local laws was 73 per cent. as compared with 74 per cent. in 1889 and 72 per cent. in 1888. In cases under the Penal Code the proportion was 50 per cent. as compared with 53 and 46 per cent. respectively in 1889 and 1888.

Cases in which security was demanded for good behaviour in the past two years (Chapter VIII, Criminal Procedure Code) are shown below :—

Security Cases.

Division.	Name of district.	Total persons concerned.		Persons discharged.		Persons convicted.		Percentage of persons convicted (columns 7 and 8) to total persons disposed of (columns 5, 6, 7, and 8).	
		Last year.	Previous year.	Last year.	Previous year.	Last year.	Previous year.	Last year.	Previous year.
1	2	3	4	5	6	7	8	9	10
Arakan ...	Akyab ...	202	108	66	20	135	86	67·16	81·13
	Kyaukpyu ...	235	152	40	15	198	122	82·88	89·05
	Sandoway ...	17	24	2	10	15	14	88·24	58·33
	Northern Arakan	..	...	...	...	...	...	..	...
	Total ...	454	284	108	45	348	222	76·05	83·15
Pegu ...	Hanthawaddy ...	83	60	16	12	67	48	80·72	80·00
	Pegu ...	169	129	20	42	133	84	86·93	65·12
	Tharrawaddy ...	178	268	12	40	166	221	93·25	84·67
	Prome ...	525	290	100	83	411	202	80·43	70·88
	Total ...	955	747	148	177	777	555	84·00	75·82
Irrawaddy...	Henzada ...	306	365	56	59	250	305	81·70	83·79
	Bassein ...	362	425	173	180	147	138	45·94	48·40
	Thôngwa ...	284	312	65	62	219	246	77·11	79·87
	Thayetmyo ...	93	60	27	17	60	36	68·96	67·93
	Total ...	1,045	1,162	321	318	676	725	67·80	69·51
Tenasserim	Amherst ...	38	80	21	11	17	69	44·74	86·25
	Shwegyin ...	96	46	28	15	68	29	70·83	65·91
	Toungoo ...	127	114	29	21	97	92	76·98	81·41
	Tavoy ...	10	18	8	...	2	18	20·00	100·
	Mergui ...	3	...	1	...	2	...	66·67	...
	Salween ...	8	1	5	...	3	1	37·50	100·
	Total ...	282	254	92	47	189	204	67·26	81·27
	Grand Total ...	2,736	2,447	669	587	1,985	1,706	74·80	74·40

In my report for 1889 I noticed the large decrease of 836 persons as compared with 1888. In the year under report there has been an increase of 289 persons as compared with 1889. The districts chiefly responsible for this increase are Prome (+235), Akyab (+94), and Kyaukpyu (+83). The Deputy Commissioner, Prome, justifies the increase of security cases in his district by pointing to the results. He says:

"All dacoit gangs have been disposed of and there is now not one organized gang in the district. Two or three small dacoities have been committed during the last three months in Mahathaman township, it is believed, by bad characters from Prome town. A number of men were arrested, but discharged when brought to trial. The preventive sections of the Criminal Procedure Code are being vigorously worked, and to this, together with the vigorous measures taken to stamp out dacoity, the improved state of things may be attributed."

The Deputy Commissioner, Akyab, says the increase in his district both in cases and in discharges were due to the increased energy in the search for bad characters engendered by the operations of the dacoits. He adds that only three of the 135 persons required to give security were able to do so.

The Deputy Commissioner, Kyaukpyu, accounts partly for the increase in his district by the greater assistance given by the ywathugyi. He believes that the provisions of Judical Department Circular No. 17 of 1888 are understood and followed by the Magistrates in his district.

Omitting districts in which the figures are small, Bassein still continues to show by far the smallest percentage of convictions, 45·94, showing that, notwithstanding the decrease last year in prosecutions, persons are still being unnecessarily prosecuted.

Many security cases have been sent for by me during the past year and dealt with in revision. There can be no doubt that, in spite of the orders of this Court, many Magistrates continue to require security for good behaviour from persons on insufficient evidence. The police are too much inclined to report persons to the Magistrate against whom there is no evidence whatever beyond the fact that they have been previously convicted, or smoke opium, or gamble. On receipt of the police report the Magistrate, as a rule, issues an order to the accused to appear and show cause, and when the witnesses for the prosecution appear they can depose to nothing more than what I have stated above. This probably accounts for the small percentage of convictions in Bassein, Amherst, Akyab, Thayetmyo, and Mergui. The remedy of course for this state of things is that District Magistrates should watch these cases more closely and see that their subordinates do not act too readily on police reports. I have recently issued a circular (No. 12 of 1891) calling the attention of all Magistrates to the standing orders required in security cases.

9. The next table shows the different classes of punishments inflicted in Magisterial Courts :—

Punishments in Magisterial Courts.

Division.	Name of district.	Total number of persons punished.	Fine without imprisonment.		Fine with imprisonment.		Whipping in lieu of other punishment.		Whipping in addition to other punishment.		Rigorous imprisonment without solitary confinement.		Simple imprisonment.		Rigorous imprisonment with solitary confinement.		Imprisoned in default of furnishing security for good behaviour.
			Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Arakan ..	Akyab	1,817	1,203	66·20	78	4·29	88	4·84	19	1·04	380	20·91	7	·38	7	·38	132
	Kyaukpyu	933	560	60·02	50	5·36	62	6·64	7	·75	171	18·32	4	·42	3	·32	133
	Sandoway	467	273	58·45	23	4·92	41	8·77	8	1·71	125	26·76	11	2·35	3	·64	14
	Northern Arakan	10	3	30·00	..	..	2	20·00	..	..	5	·50	..	..	..	..	..
	Total ..	3,227	2,039	63·18	151	4·67	193	5·98	34	1·05	681	21·10	22	·68	13	40	279
Pegu ..	Hanthawaddy	1,303	861	66·07	13	·99	73	5·60	5	·38	298	22·87	8	·61	1	·07	62
	Pegu	1,498	965	64·41	15	1·00	146	9·74	8	·53	284	18·95	5	·33	10	·66	88
	Tharrawaddy	2,026	1,085	53·55	51	2·51	293	14·46	32	1·57	453	22·35	11	·54	56	2·76	128
	Prome	4,121	2,616	63·47	151	3·66	377	9·14	19	·46	765	18·56	11	·26	144	3·49	208
	Total ..	8,948	5,527	61·76	230	2·57	889	9·93	64	·71	1,800	20·11	35	·39	211	2·34	486
Irrawaddy ..	Henzada	2,218	1,476	66·54	25	1·12	181	8·16	10	·45	396	17·85	7	·31	5	·22	153
	Bassein	2,175	1,482	68·13	47	2·16	123	5·65	9	·41	444	20·41	30	1·37	2	·09	94
	Thôngwa	2,989	2,074	69.38	39	1·30	205	6·85	21	·70	568	19·00	11	·36	15	·50	116
	Thayetmyo	1,483	726	48·95	51	3·43	140	9·44	13	·87	494	33·31	17	1·14	64	4·31	42
	Total ..	8,865	5,758	64·95	162	1·82	649	7·32	53	·59	1,902	21·45	65	·73	86	·97	405
Tenasserim ..	Amherst	2,585	1,960	75·82	48	1·86	152	5·88	13	·50	435	16·82	17	·65	13	·50	8
	Shwegyin	1,465	983	67·09	34	2·32	108	7·37	18	1·22	300	20·47	11	·75	2	·13	61
	Toungoo	1,141	789	69·14	22	1·92	63	5·52	4	·35	188	16·47	3	·26	1	·08	97
	Tavoy	407	270	66·33	14	3·43	31	7·61	2	4·91	87	21·37	14	3·43	4	98	1
	Mergui	485	300	61·85	12	2·47	45	9·27	9	1·85	126	25·97	1	·20	12	2·47	1
	Salween	46	5	10 86	29	63·04	3	6·52	..	..	30	65·21	5	10·86	..	..	3
	Total ..	6,129	4,307	70·27	159	2·59	402	6·55	46	·75	1,166	19·02	51	·83	32	·52	171
	Grand Total ..	27,169	17,631	64·89	702	2·58	2,133	7·85	197	·72	5,549	20·42	173	·63	342	1·25	1,311

Sentences of fine only formed nearly 65 per cent. and sentences of whipping only nearly 8 per cent. of the total number of punishments as compared with 64 per cent. and 7 per cent. in 1889. I have continued to impress upon Magistrates when reviewing their monthly statements the necessity for making full use of their whipping powers. With reference to the remarks made by me in paragraph 12 of my report for 1889 the Chief Commissioner has issued a circular (Judicial Department No. 15 of 1890) requesting that arrangements may be made at each district headquarters in Burma for training Indian policemen in whipping prisoners and for posting one or more policemen so trained to each headquarters of a Magistrate empowered to pass sentences of whipping.

There were 342 persons sentenced last year to solitary confinement as compared with 132 in the previous year, the percentage of such punishments to total punishments being 1·25 against ·45 in 1889 and ·34 in 1888. This form of punishment is still not sufficiently resorted to in many districts, notably in Bassein, Hanthawaddy, Pegu, Thôngwa, Toungoo, Shwegyin, Henzada, Amherst, and all the districts of the Arakan division. The late Sessions Judge of Arakan, Mr. Ireland, was of opinion that solitary confinement was preferred by Burmans to ordinary confinement, but I should be inclined to doubt the correctness of that view.

10. The fines imposed, realized, remitted and struck of as unrealizable in the past two years, and the amount of compensation given to complainants, is shown below:

	1889.			1890.		
	Rs.	A.	P.	Rs.	A.	P.
Imposed	3,50,805	4	2	2,92,945	10	2
Realized	2,72,936	4	9	2,47,619	12	5
Remitted	6,798	8	6	8,841	15	7
Struck off	1,43,858	15	6	30,584	4	4
Compensation granted ...	29,492	6	2	28,489	9	7

There has been a considerable reduction in the amount of fines imposed, realized, and struck off. The fines imposed and realized in the past seven years are shown below:

Year.	Imposed.	Realized.
	Rs.	Rs.
1884	3,20,691	1,98,685
1885	3,15,010	2,15,315
1886	2,87,028	2,05,400
1887	3,21,505	2,51,624
1888	3,22,206	2,59,926
1889	3,50,805	2,72,936
1890	2,92,945	2,47,619

As noticed in last year's report the falling off in fines imposed and realized in 1885 and 1886 was due to the comparatively few cases of minor offences prosecuted in those years, the police and people being engaged in prosecuting serious offences and in defending themselves and their property against dacoits. The decrease in fines imposed during the past year is probably due in some measure to my remarks in last year's report pointing out that fines were often imposed without any regard to the means of the accused and with no other object than to enable the Magistrate to pass an additional sentence of imprisonment on the accused in default. The large decrease in fines struck off is due to the abnormally large amount of fines struck off in 1889, which was noticed in my report for that year.

11. The number of cases and persons committed to the Sessions and the proportion of conviction to committal is shown below:

Result of Committals to the Sessions Courts.

Sessions division.	Cases committed during the year.	Persons committed during the year, including those pending from previous year.	Number of persons				Percentage of convictions and reference (column 4) to total disposed of (columns 4 and 5).		Average duration of cases.	Remarks.
			Convicted or referred.	Acquitted.	Died, escaped, or transferred.	Pending.	Last year.	Previous year.		
1	2	3	4	5	6	7	8	9	10	11
Arakan ...	38	108	68	37	...	3	64·76	56·92	32·	* Thirty-nine persons convicted and 21 acquitted by Additional Sessions Judge. † Thirty-five persons convicted and 26 persons acquitted by Additional Sessions Judge.
Pegu ...	136	269	182*	70*	...	17	72·22	63·70	31·	
Irrawaddy ...	151	326	194†	119†	...	13	61·98	70·94	48·	
Tenasserim ...	47	106	60	39	1	6	60·60	82·86	35·	
Moulmein ...	17	26	15	11	...	...	57·69	31·25	15·	
Total 1890 ...	389	835	519	276	1	39	65·28	...	38·	
In 1889 ...	499	1,110	701	320	6	83	...	68·66	42·	

There has been a decrease in the past year of 110 cases and 275 persons committed to the Sessions as compared with 1889, thus causing considerable relief to Sessions Judges. This relief has occurred entirely in the Irrawaddy division as shown below:

Division.	Cases. 1889.	Committed. 1890.	Persons. 1889.	Committed. 1890.
Arakan	35	38	62	105
Pegu	115	136	259	256
Irrawaddy	285	151	594	275
Tenasserim	49	47	110	90

Corresponding figures for the years 1887, 1888, and 1889 will be found in my report for 1889, paragraph 9. During a portion of the past year, namely, from January to March and from October to December 1890, the Sessions Judges of the Pegu and Irrawaddy divisions were assisted by an Additional Sessions Judge, who took over all cases committed in the Pegu division from the districts of Tharrawaddy and Prome, and in the Irrawaddy division from the districts of Thôngwa, Henzada, and Thayetmyo. Out of a total of 565 persons disposed of in these two divisions after committal 121 persons were disposed of by the Additional Sessions Judge, namely, 60 persons in the Pegu division and 61 persons in the Irrawaddy division. The Sessions Judge of Irrawaddy states that the large decrease of committals to his Court is due to the gradual quieting down of the districts of his division.

In my report for 1889 I compared with other provinces in India the percentage of convictions in Sessions Courts in Lower Burma. It is unnecessary to repeat this comparison. Although the percentage last year (65·28) is below that of 1889 (68·66), it is still higher than in any province in India except the Central Provinces. The fact that the accused is rarely defended by an Advocate before the Sessions Court accounts in a great measure for the large percentage of convictions in Lower Burma.

The Tenasserim Judge's Court no longer shows the highest percentage of convictions as in years past, the officer who held the post of Sessions Judge from September 1883 to May 1890 having proceeded to England on furlough early in the year. The highest percentage of convictions occurred in the Pegu division (72·22) and I find that, omitting the cases of this division tried by the Additional Sessions Judge, the percentage of the Sessions Judge of Pegu was as high as 74·48. The percentage of convictions in the Court of the Judge of Moulmein (57·69) is very low. It was also very low in 1889. The Sessions Judge of Irrawaddy alludes to the great falling off in the percentages of convictions in his Courts as compared with the previous year, and states that this is due to Magistrates sending up cases without taking pains to make a full and complete inquiry before committing. The Judge of Moulmein reports that out of 26 persons committed last year the Public Prosecutor withdrew the proescution of no less than seven. Of the cases tried by jury the percentage of convictions was 79 per cent.

12. The following table compares the sentences passed in Sessions Courts in the past two years:—

Punishments in Sessions Courts.

Class of punishment.	Last year.	Previous year.	Remarks.
Death	29*	24*	* Sentences confirmed by Judicial Commissioner.
Transportation for life ...	142	144	
Transportation for a term	225	339	
Rigorous imprisonment with or without fine or whipping ...	356	518	
Simple imprisonment with or without fine ...		1	
Fine only	2	8	
Whipping only	6	8	
Total ...	760	1,032	

This table calls for no remark.

13. The number of persons referred to the Sessions under sections 34 and 123, Criminal Procedure Code, and the proportion of convictions to reference are shown below:—

References to Sessions Court under Sections 34 and 123, Criminal Procedure Code.

Sessions Court.	Number of cases referred during the year.	Number of persons referred.	Number of persons				Percentage of convictions (column 4) to total disposed of (columns 4 and 5)
			Convicted.	Acquitted.	Died, escaped, or transferred.	Pending.	
1	2	3	4	5	6	7	8
Arakan ..	36	42	39	2		1	95 12
Pegu	72	137	131	5		1	96·82
Irrawaddy . . .	42	54	45	23		8	66 17
Tenasserim .	50	75	66	12	...		84·62
Moulmein	1	1	1		.		100
Total 1890 ..	201	309	282	42		5	87·04
In 1889 ...	275	417	380	31		20	92·46

There have been fewer cases and fewer persons referred than in 1889. The percentage of references confirmed is below that of the previous year owing partly to a change of Judges in Tenasserim and also to the very low percentage shown by the Sessions Judge of Irrawaddy, 66·17 against 86·99 in the previous year. The Sessions Judge of Irrawaddy attributes this low percentage of convictions to the Bassein and Thayetmyo districts, 23 cases having been referred during the year, and confirmations having taken place in only 13 cases. He says "those cases from Bassein and Thayetmyo which came before me in 1889 "and all in 1890 showed that due pains were not always taken in trying these "cases." The Sessions Judge of Pegu shows the highest percentage of references confirmed (96·32).

14. The next table shows the detention of witnesses and the number of witnesses examined in Criminal Courts:—

TABLE I.—*Examination and detention of Witnesses in Sessions and Magistrates Courts.*

Division.	Name of district.	Witnesses examined.	Witnesses discharged. First day.	Second day.	Third day.	After third day.
ARAKAN.	Akyab	7,762	7,687	1,161	278	56
	Kyaukpyu	3,551	3,298	640	26	...
	Sandoway	1,785	1,752	395	121	50
	Northern Arakan	37	35	2	...	...
	Sessions Judge of Arakan ...	276	259	121	56	68
	Total ...	13,411	12,981	2,319	481	174
PEGU.	Hanthawaddy	4,747	4,565	799	68	...
	Pegu	6,796	6,684	884	158	80
	Tharrawaddy	8,318	8,490	818	113	21
	Prome	16,777	17,489	2,084	175	48
	Sessions Judge of Pegu ...	1,476	1,477	86	59	...
	Total ..	38,114	38,705	4,671	568	149
IRRAWADDY.	Henzada	8,402	8,807	1,249	147	26
	Bassein	10,725	9,788	1,423	435	61
	Thôngwa	9,364	9,645	948	88	12
	Thayetmyo...	6,898	6,954	788	186	56
	Sessions Judge of Irrawaddy ...	1,259	1,733	201	110	48
	Total ...	36,648	36,922	4,604	961	203
TENASSERIM.	Amherst	7,989	8,009	846	114	4
	Shwegyin	5,891	5,689	927	189	23
	Toungoo	3,569	3,629	212	15	...
	Tavoy	1,654	1,608	198	33	2
	Mergui	1,221	1,384	25	...	...
	Salween	209	209	...	...	...
	Sessions Judge of Moulmein ..	111	101	21	11	14
	Sessions Judge of Tenasserim ...	434	408	107	35	27
	Total ..	21,078	21,032	2,336	397	70
	GRAND TOTAL 1890 .	109,251	109,640	13,930	2,407	596
	In 1889 ...	119,242	111,133	16,938	3,392	828

The best test of the amount of criminal judicial work there is in a district is the number of witnesses examined. Prome heads the list with the large number of 16,777 witnesses, Bassein and Thôngwa coming next with 10,725 and 9,364 respectively. The number of witnesses in Bassein detained three days and more is larger than it should be. Taking all the districts together there were 109,251 witnesses examined against 119,242 examined in the previous year. Of the witnesses discharged 87 per cent. were discharged the first day, 11 per cent. the second day, and 1·7 per cent. the third day, while only ·3 per cent. were kept more than three days. The corresponding percentages for 1889 were 84·94, 12·04, 2·42, and ·60. In Sessions Courts there were 3,556 witnesses examined against 4,764 examined in the previous year. Of the witnesses discharged 80·5 per cent. were discharged the first day, 11 per cent. the second day, 5·5 per cent. the third day, and 3 per cent. after the third day. The corresponding percentages for 1889 were 66·0, 27·5, 5·3, and 1·2.

III.—APPELLATE JURISDICTION.

15. The number of appeal cases disposed of last year by all Appellate Courts as compared with the previous five years is shown below:—

Appellate Court.	1885.	1886.	1887.	1888.	1889.	1890.
District Magistrates	810	689	618	580	558	538
Sessions Judges	1,809	1,418	1,752	2,305	2,425	2,191
Judicial Commissioner	372	1,174	1,009	859	763	556
Total ...	2,991	3,226	3,379	3,744	3,746	3,285

The appellate work of District Magistrates has been steadily decreasing since 1885 and that of the Judicial Commissioner since 1886 on the other hand. The appellate work of Sessions Judges until last year had been steadily on the increase. As shown in the next table the largest amount of appellate work in Sessions Courts is to be found in the Pegu division, which shows 913 cases disposed of, Irrawaddy coming next with 655 cases. I give below a comparison of the appellate work of the several Sessions Courts for the past five years.

Division.	Number of appeal cases disposed of.				
	1886.	1887.	1888.	1889.	1890.
Arakan	308	275	278	218	206
Pegu	456	546	856	1,095	913
Irrawaddy	332	501	720	659	655
Tenasserim	272	406	434	425	368
Moulmein	45	24	17	28	49

The appellate work of District Magistrates is light. As the next table shows the District Magistrate of Amherst disposed of the largest number of appeals last year (71), after which come Kyaukpyu with 62 cases and Henzada and Thôngwa with 43 cases each.

In the Judicial Commissioner's Court the criminal appellate work is still considerably heavier than it was in 1885. The large number of appeals in 1886 and 1887 was explained in my report for 1888.

16. The results of appeals disposed of in all Appellate Courts are shown in the next table.

Appeals and their Results.

Division.	Class of Appellate Court.	Number of appeal cases preferred within the year.	Number of appeal cases disposed of.	Number of appellants for disposal, including those pending from previous year.	Appellants: Whose appeals were rejected or dismissed.	Whose sentences were reversed.	Whose sentences were enhanced, reduced, or otherwise altered.	Otherwise disposed of.	Total of columns 5 to 8.	Pending.	Percentage of column 5 to column 9.	Average duration.
	1	2	3	4	5	6	7	8	9	10	11	12
Arakan.	District Magistrate of Akyab	34	32	49	30	11	5	1	47	2	63·82	7
	District Magistrate of Kyaukpyu ...	62	62	78	40	21	11	...	78	...	58·97	5
	District Magistrate of Sandoway ...	25	25	20	22	5	2	..	29	...	75·86	5
	District Magistrate of Northern Arakan	...	...	...	...	...	...	...	...	...	...	...
	Sessions Judge of Arakan	213	206	223	146	36	29	5	216	7	67·59	12
	Total ...	334	325	379	244	73	47	6	370	9	65·94	10
Pegu.	District Magistrate of Hanthawaddy ...	22	22	33	28	2	1	2	33	...	84·85	8
	District Magistrate of Pegu	28	28	49	30	9	8	2	49	...	61·23	16
	District Magistrate of Tharrawaddy ...	6	6	7	2	3	2	...	7	...	28·57	7
	District Magistrate of Prome	26	25	39	28	2	8	...	38	1	73·68	6
	Sessions Judge of Pegu	891	913	1,054	913	59	67	14	1,053	1	86·7	5
	Judicial Commissioner, Lower Burma ...	553	556	776	546	100	72	4	722	54	75·62	22
	Total ...	1,526	1,550	1,958	1,547	175	158	22	1,902	56	81·34	11
Irrawaddy.	District Magistrate of Henzada ...	43	43	58	31	16	10	1	58	...	53·44	11
	District Magistrate of Bassein ...	37	37	50	20	25	5	...	50	...	40·00	7
	District Magistrate of Thôngwa ...	43	43	54	25	14	15	...	54	...	46·3	9
	District Magistrate of Thayetmyo ...	50	50	81	47	18	16	...	81	...	58·02	4
	Sessions Judge of Irrawaddy	649	655	785	582	56	59	16	713	72	81·62	34
	Total ...	822	828	1,028	705	129	105	17	956	72	73·74	28
Tenasserim.	District Magistrate of Amherst ...	71	71	109	63	23	21	2	109	...	57·8	8
	District Magistrate of Shwegyin ...	42	42	45	35	3	7	...	45	...	77·7	7
	District Magistrate of Toungoo ...	37	37	54	31	7	16	...	54	...	57·4	7
	District Magistrate of Tavoy	14	14	19	14	5	...	...	19	...	73·6	6
	District Magistrate of Mergui	1	1	1	1	...	...	...	1	...	100·0	3
	District Magistrate of Salween ...	...	...	...	...	...	...	...	...	...	...	...
	Sessions Judge of Moulmein	50	49	56	31	7	17	...	55	1	56·36	4
	Sessions Judge of Tenasserim ...	366	368	394	302	38	48	4	392	2	77·04	10
	Total ...	581	582	678	477	83	109	6	675	3	70·67	9
	Grand Total, 1890 ...	3,263	3,285	4,043	2,973	460	419	51	3,903	140	76·17	15
	In 1889 ...	3,809	3,746	4,605	3,448	487	448	52	4,435	170	77·75	14

The percentage of appeals in all Courts rejected and dismissed after admission of appeal was 76·17 against 77·75 in the previous year. In the years 1884, 1885, 1886, 1887, and 1888 the percentages were 68·34, 71·55, 73·58, 72·68, and 80·70 respectively. The percentage in 1888 was abnormally high. The following statement is similar to one furnished in my report for 1889 and shows separately the percentages for each class of Appellate Courts :—

Appellate Court.	Percentage of appeals rejected and dismissed to total disposed of.						
	1884.	1885.	1886.	1887.	1888.	1889.	1890.
District Magistrates' Court ...	58·55	58·69	62·26	60·55	63·94	62·34	60·24
Sessions Courtss	71·15	75·82	77·51	80·63	84·12	82·14	81·27
Judicial Commissioner's Court ...	76·31	85·10	75·08	68·45	88·45	78·61	75·76

In District Magistrates' Courts the percentage of rejections and dismissals is of course lower than in superior Appellate Courts. Omitting districts in which the figures are small, the greatest amount of interference, that is to say, the smallest percentage of rejections and dismissals occurred in Bassein (40·00), Thôngwa (46·3), and Henzada (53·44). The Commissoner of Irrawaddy says : "I

"have called for and examined the appellate records of Magistrates in 25 cases "and in none did I see any reason to report to the Judicial Commissioner." The Commissioner of Pegu says: "I would note that in about 95 per cent. of ap- "peals rejected the records were perused prior to rejection and the appeals prac- "tically treated as admitted appeals."

In my report for 1889 I compared the percentages of non-interference in appeals in District Magistrates' Courts with the percentages of other provinces of India. In Bengal and the Punjab, where the subordinate magistracy is much more efficient than it is in Burma, the percentage is higher; but if comparison be made with the Central Provinces and Assam, where the subordinate Magistrates are also more efficient than they are here, it will be found that District Magistrates in Burma cannot be suspected of interfering excessively in appeal.

In Sessions Courts there certainly has been no excessive interference in appeal. The late Sessions Judge of Tenasserim having now left the province, the percentage of appeals rejected or dismissed in that Court (77·04) is more in accordance with what one might expect it to be. The largest percentage (86·7) occurs in the Court of the Sessions Judge of Pegu. Such a percentage suggests that appeals are too readily rejected or dismissed by the Sessions Judge. The average percentage for all Sessions Courts is 81·27 against 82·14 in the previous year. Such an average is, as I showed in my last year's report, considerably above the corresponding average in other parts of India.

Advocates rarely appear before Sessions Courts in appeal, which accounts no doubt in a great measure for the high percentage of appeals rejected and dismissed by Sessions Courts in Burma.

In the Judicial Commissioner's Court the percentages of appeals rejected or dismissed have, as the figures given above show, varied considerably from year to year.

The following statement shows in what divisions there has been the largest amount of interference with the decisions of the Sessions Courts:—

Sessions Court.	Total appellants disposed of by Judicial Commissioner.	Persons whose			Percentages of appeals rejected and dismissed to total disposed of by Judicial Commissioner.	
		Appeals were rejected or dismissed.	Sentences were reduced or altered.	Convictions were reversed.	1889.	1890.
Arakan	84	67	7	10	86	80
Pegu*	256	178	36	47	83	68
Irrawaddy*	222	192	16	14	77	87
Tenasserim	114	81	11	22	69	71
Judge of Moulmein	10	10	...	...	71	100
Additional Sessions Judge ... " ...	32	23	2	7	...	72
Total 1890 ...	718	546	72	100	...	76
Total 1889 ...	961	752	129	80	78	...

* Excluding appeals from the Additional Sessions Judge.

There has been a great improvement in the quality of the work of the Sessions Judge of Irrawaddy (Colonel Spearman), due no doubt to his not having been so much overworked last year. Mr. Hodgkinson, the Sessions Judge of Pegu in 1889, was transferred to his present appointment of Judicial Commissioner of Upper Burma in the early part of the year under report and was succeeded by Colonel Strover. Colonel Plant, the Sessions Judge of Tenasserim, left the province in May 1890 and was succeeded by Colonel Cooke. Changes of officers explain the different percentages of appeals rejected and dismissed by me last year as compared with the previous year.

17. The following table shows the references made to the Judicial Commissioner under section 374, Criminal Procedure Code :—

Reference by whom made.	Sentences.				
	Referred for confirmation.	Confirmed.	Reduced or altered.	Reversed.	Pending.
Sessions Judge of Arakan	6	8	8	...	...
Sessions Judge of Pegu	29	9	18	...	2
Sessions Judge of Irrawaddy	16	13	8	...	
Additional Sessions Judge ...	8	2	1		...
Sessions Judge of Tenasserim	5	2	2	1	...
Sessions Judge of Moulmein	...	...	..	...	...
Total ...	59	29	27	1	2
In 1889 ...	72	24	35	8	5

I noticed in last year's report the considerable reduction which had taken place in the number of death sentences referred to me by sessions Judges for confirmation. There has been a further reduction in the year under report: 51 per cent. of the sentences referred were confirmed against 33 per cent. only in the previous year. The Sessions Judge of Irrawaddy has shown more discrimination than he did in 1889 in passing death sentences, and the same remark applies to the Sessions Judge of Tenasserim who, however, is not the same officer who filled the post of Sessions Judge in 1889. The Sessions Judge of Pegu still continues to pass death sentences without regard to the remarks made by me in paragraph 21 of my report for 1889. There are degrees of murder as there are of every other offence, and persons who are found guilty of murder only because the facts proved against them show that they committed an act which they must have known was so imminently dangerous that it must in all probability cause death should not be placed in the same category with those intentionally and with premeditation take human life.

19. References to the Judicial Commissioner under section 438, Criminal Procedure Code, are shown in the following table:—

Division.	Reference by whom made.	Number of cases referred.	Number of persons concerned.	Number of persons whose sentences were: Confirmed.	Enhanced.	Reduced.	Reversed.	Pending: Cases.	Persons.	Remarks.
Arakan.	District Magistrate of Akyab	6	10	5	...	2	1	1	1	One new trial.
	District Magistrate of Kyaukpyu.	3	3	2	...	...	1	...	...	
	District Magistrate of Sandoway.	6	13	9	2	...	...	2	2	
	District Magistrate of Northern Arakan.	...	...	...	...	...	...	...	...	
	Sessions Judge of Arakan ...	...	...	...	...	...	...	..	...	
	Total ...	15	26	16	2	2	2	3	3	One new trial.
Pegu.	District Magistrate of Hanthawaddy.	5	6	3	...	2	1	...	...	
	District Magistrate of Pegu...	5	8	5	...	3	...	...	...	
	District Magistrate of Tharrawaddy.	8	13	3	...	1	4	1	5	
	District Magistrate of Prome	52	140	11	2	...	68	...	...	Fifty-nine proceedings quashed.
	Sessions Judge of Pegu ...	...	...	.	...	.	...	...	...	
	Total ...	70	167	22	2	6	73	1	5	Fifty-nine proceedings quashed.
Irrawaddy.	District Magistrate of Henzada	12	17	6	1	4	6	...	...	
	District Magistrate of Bassein	7	14	5	...	6	3	.	...	
	District Magistrate of Thôngwa	18	55	13	...	7	33	2	2	
	District Magistrate of Thayetmyo.	12	18	12	1	...	4	...	...	One proceeding quashed.
	Sessions Judge of Irrawaddy	1	1	.	.	...	1	...	...	
	Total ...	50	105	36	2	17	47	2	2	One proceeding quashed.
Tenasserim.	District Magistrate of Amherst	10	15	6	2	1	3	...	...	Two proceedings quashed, one new trial.
	District Magistrate of Shwegyin.	3	11	3	..	...	.	...	...	Eight proceeding quashed.
	District Magistrate of Toungoo	12	28	6	...	3	2	2	4	One proceeding quashed, 12 new trials.
	District Magistrate of Tavoy	6	21	...	...	1	8	...	...	Fifteen proceedings quashed, two new trials.
	District Magistrate of Mergui	2	2	...	...	...	1	1	1	
	District Magistrate of Salween	...	...	...	...	...	...	...	...	
	Session Judge of Moulmein.	...	...	...	...	...	...	...	...	
	Sessions Judge of Tenasserim	...	...	...	...	...	...	...	...	
	Total ...	33	77	15	2	5	9	3	5	Twenty-six proceedings quashed, 15 new trials.
	Grand Total 1890 ...	168	375	89	8	30	131	9	15	Eighty-six proceedings quashed, 16 new trials.
	In 1889 ...	238	391	164	14	74	109	14	15	Ten proceedings quashed, five new trials.

19. Cases called for by the Judicial Commissioner on his own motion under section 435, Criminal Procedure Code, are shown in the following table :—

Division.	Name of district.	Number of cases called for.	Number of persons concerned.	Number of persons whose sentences were: Confirmed.	Enhanced.	Reduced.	Reversed.	Pending: Cases.	Pending: Persons.	Remarks.
Arakan.	Akyab	42	54	32	...	4	5	13	13	
	Kyaukpyu	5	5	4	...	1	...	...	...	
	Sandoway	24	26	22	...	...	2	1	1	One new trial.
	Northern Arakan	...	...	...	...	...	...	...	...	
	Sessions Judge of Arakan ...	...	...	...	...	...	...	...	...	
	Total ...	71	85	58	...	5	7	14	14	One new trial.
Pegu.	Hanthawaddy	16	21	12	...	2	...	5	5	Two new trials.
	Pegu	19	22	16	...	...	4	2	2	
	Tharrawaddy	11	20	20	...	...	...	...	...	
	Prome	27	42	31	...	8	1	2	2	
	Sessions Judge of Pegu ...	2	2	1	...	...	...	1	1	
	Total ...	75	107	80	...	10	5	10	10	Two new trials.
Irrawaddy.	Henzada	30	46	31	...	...	3	3	11	One proceeding quashed.
	Bassein	15	21	13	...	...	1	6	6	One new trial.
	Thôngwa	19	37	33	...	2	...	2	2	
	Thayetmyo	35	39	24	...	2	3	7	8	Two proceedings quashed.
	Sessions Judge of Irrawaddy ...	3	27	26	...	...	...	...	...	One new trial.
	Total ...	102	170	127	...	4	7	18	27	Three proceedings quashed, two new trials.
Tenasserim.	Amherst	38	53	39	1	2	...	7	11	
	Shwegyin	25	33	23	...	6	1	2	2	One proceeding quashed.
	Toungoo	10	12	9	...	1	2	...	...	
	Tavoy	5	15	13	...	...	...	...	...	Two proceedings quashed.
	Mergui	5	6	4	...	2	...	...	...	
	Salween	2	2	...	...	...	...	2	2	
	Sessions Judge of Moulmein ...	1	1	...	...	1	...	...	...	
	Sessions Juudge of Tenasserim	...	...	...	...	...	...	...	...	
	Total ...	86	122	88	1	12	3	11	15	Three proceedings quashed.
	Grand Total 1890 ...	334	484	353	1	31	22	53	66	Six proceedings quashed, five new trials.
	In 1889 ...	319	1,255	726	5	249	218	53	57	Two proceedings quashed, three new trials.

Taking the above two tables together there were 440 cases, involving 778 persons, disposed of in revision, with the result that the sentences of 442 persons (57 per cent.) were confirmed, of nine persons (1·16 per cent.) were enhanced, of 61 persons (8 per cent.) reduced, and of 153 persons (20 per cent.) reversed, whilst 92 proceedings were quashed and 21 new trials ordered.

A very large number of cases are dealt with in revision in addition to those shown in the above tables on a perusal merely of the monthly statements and without sending for the record and formally registering them as revision cases. This was explained by me in my report for last year. It is not necessary to send for a case and deal with it formally in revision when the accused is not affected by the order passed by me in the case and when it is only necessary to point out to the Magistrate irregularities in procedure.

20. The following table shows the revision work done by Sessions Judges and Magistrates otherwise than on application for revision :—

Cases called for in Revision by Sessions Judges and District Magistrates.

Revising Court.	Number of cases called for and examined under section 435, Criminal Procedure Code		Number of cases in which committal was ordered under section 436, Criminal Procedure Code.	Number of cases in which further enquiry was ordered under section 437, Criminal Procedure Code	Number of cases referred to the High Court under section 438, or to the District Magistrate under section 435, Criminal Procedure Code	Pending cases.
	Last year.	Previous year.				
Sessions Courts	580	771	..	10	20	33
District Magistrates	2,443	2,493		16	69	58
Total ...	3,023	3,264	...	26	89	91

There has been a decrease as compared with the preceding year of 191 cases called for and examined in revision by Sessions Courts, and a decrease of 50 cases called for by District Magistrates. The following officers have given most attention to this work during the year :—

Name of officer.	Cases examined.
Commissioner—	
Colonel G. A Strover (Pegu)	164
Deputy Commissioners—	
Major J Butler (Henzada)	323
Lieutenant G. E. T. Green (Thayetmyo)	272
Mr J K Macrae (Hanthawaddy)	240
Captain F. D. Maxwell (Tharrawaddy)	192

IV.—MISCELLANEOUS.

21. The financial result of the rules regulating the fees chargeable for the service of processes and the remuneration of bailiffs and process-servers are shown in the following table :—

Receipts and Charges on account of issuing and serving Criminal Processes.

Division.	Name of district.	Number of processes issued	Receipts from process fees	Charges. Salaries of process serving establishment.	Charges. Contingencies, &c.
			Rs. A. P.	Rs. A. P.	Rs. A. P.
Arakan.	Akyab	2,432	1,699 8 0	1,560 0 0	396 12 0
	Kyaukpyu	986	698 8 0	456 0 0	58 15 0
	Sandoway	366	252 0 0	147 0 0	...
	Northern Arakan	20	...	...	...
	Total ...	3,804	2,650 0 0	2,163 0 0	450 11 0
Pegu.	Hanthawaddy	1,871	1,137 0 0	1,058 13 4	366 4 4
	Pegu	2,736	1,631 0 0	1,344 0 0	14 10 0
	Tharrawaddy	1,390	1,019 8 0	691 8 0	117 3 8
	Prome	3,015	2,107 0 0	2,088 0 0	7 0 0
	Total ...	9,012	5,894 8 0	5,182 5 4	505 2 0
Irrawaddy.	Henzada	3,424	1,769 0 0	2,256 0 0	169 14 9
	Bassein	4,878	3,468 8 0	1,684 12 0	80 5 0
	Thôngwa	3,889	2,903 0 0	1,929 1 4	74 4 4
	Thayetmyo	1,975	1,172 0 0	616 0 0	43 1 6
	Total ...	14,166	9,312 8 0	6,485 13 4	367 9 7
Tenasserim.	Amherst	4,773	3,584 0 0	2,085 11 6	113 4 6
	Shwegyin	899	1,403 1 0	6 0 0	246 14 1
	Toungoo	1,723	850 0 0	672 0 0	...
	Tavoy	716	485 8 0	360 0 0	...
	Mergui	489	349 8 0	520 0 0	...
	Salween	58	40 0 0	...	26 0 0
	Total ..	8,658	6,712 1 0	3,643 11 6	386 2 7
	Grand Total 1890	35,640	24,569 1 0	17,474 14 2	1,709 9 2
	In 1889 ...	37,097	25,719 10 0	17,875 1 0	910 8 9

There have been fewer criminal processes issued in the past year than in the year previous owing to the smaller number of cases brought to trial. The consequence is a falling off in receipts from fees, whereas the expenditure has been somewhat higher than in the year 1889, the increase appearing under the head of contingencies. The net result is a surplus of Rs. 5,384 against Rs. 6,934 in the previous year. I am not, however, disposed to put implicit reliance on the figures of the above table. We shall probably get more accurate figures for the current year under the new system, under which the civil, criminal, and revision process establishments have been amalgamated, with effect from the 1st April 1891, and registers have been prescribed which will show more clearly than the old registers the annual receipts and expenditure on account of process-serving.

22. *Inspection,*—I have noticed the subject of inspection fully in my Civil Justice Report. Since my last report was submitted I have inspected Criminal Courts of the headquarters of every district in Lower Burma, except Sandoway and the Arakan and Salween Hill Tracts, and the results of my inspection have been fully recorded in notes, copies of which have been sent to the District Officers concerned for communication to the presiding officers of the inspected Courts and as a guide to the District Officers themselves in inspecting subordinate Courts in the interior of their districts.

23. *Judicial Commissioner's Circulars.*—I am glad to say that I have been able to complete an important and useful work before making over charge to my successor, and that is the compilation into one volume of all circulars of the Judicial Commissioner relating to criminal matters that have been issued from the year 1872, the year in which the Judicial Commissioner's Court was first established, up to the present day, omitting of course circulars that have been repealed or are spent or have become obsolete. I have seen this volume through the press, and am only awaiting before issuing it the orders of the Government of India sanctioning the draft rules for the preservation and destruction of criminal records which were submitted to the Chief Commissioner in November last. This compilation has practically amounted to an entire re-writing of all the old circulars of date prior to 1889 and arranging them for convenience of reference in chapters and sections with a full index. It is hoped that this work will assist all Courts materially in carrying on their criminal judicial duties, and that it will also enable District Officers to inspect the subordinate Courts more effectively than they do at present, and see that they not only receive and record, but actually carry out the orders of the Judicial Commissioner issued for their guidance. At any rate it will remove the excuse so often put forward by the presiding officers of many Courts that now disregard standing orders that it is impossible to say what circulars of the Judicial Commissioner are in force in the present day and what are not. As stated in my Civil Justice Report a similar volume of civil and general circulars has also been in course of preparation, but I have not been able to complete it. Full instructions, however, will be left by me with the Registrar for its completion, which will not be a difficult matter.

24. I was in charge of the office of Judicial Commissioner throughout the year.

W. E. WARD,
Judicial Commissioner, Lower Burma.

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THE CRIMINAL JUSTICE REPORT OF UPPER BURMA FOR THE YEAR 1890.

From G. J. S. HODGKINSON, Esq., C.S.I., Judicial Commissioner, Upper Burma, to the Secretary to the Chief Commissioner, Burma,—No. 988-35—41, dated the 26th May 1891.

I HAVE the honour to submit the Criminal Justice Report and statements of the province for the year 1890, and to request that I may be favoured with the proof with as little delay as possible.

1. Criminal justice in Upper Burma in 1890 was administered up to the 26th July on the same system as in the year previous, Deputy Commissioners being vested with the powers of Sessions Judges, and each Commissioner exercising the powers of a Judicial Commissioner within his own division. On the 26th July 1890 a Judicial Commissioner was appointed for the whole of Upper Burma (excluding the Shan States) and the judicial system was assimilated to that of Lower Burma except in a few points, the most important being that District Magistrates still can deal in revision, independently of the Judicial Commissioner, with orders of subordinate Magistrates of the 2nd and 3rd class.

2. The total number of offences reported and the total number of offences returned as true, compared with the figures for the previous year, are shown below.

I.—REPORTED CRIME.

Division.	Name of district.	Cases reported.		Cases rejected under section 203, Criminal Procedure Code.		Cases declared false or not entered as true.		True cases.		Percentage of true to reported cases.	
		1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
NORTHERN.	Mandalay	4,617	4,973	52	74	1	92	4,564	4,807	98·85	96·66
	Bhamo	335	355	29	25	...	...	306	330	91·34	92·95
	Katha	317	362	...	...	...	129	317	233	100·00	64·36
	Ruby Mines	117	301	...	...	...	8	117	293	100·00	97·34
	Shwebo	496	700	...	...	...	36	496	703	100·00	95·49
	Total	5,882	6,790	81	99	1	265	5,800	6,426	98·60	94·63
CENTRAL.	Yeu	419	415	...	..	8	101	411	314	98·09	75·66
	Sagaing	550	639	...	...	2	6	548	633	99·63	99·06
	Lower Chindwin	424	552	..	...	67	64	357	488	84·19	88·40
	Upper Chindwin	256	368	1	...	22	13	233	355	91·01	96·46
	Total	1,649	1,974	1	...	99	184	1,549	1,790	93·93	90·67
SOUTHERN.	Myingyan	768	930	...	8	...	30	768	912	100·00	96·00
	Pakókku	524	872	...	...	...	10	524	862	100·00	98·85
	Minbu	1,007	1,007	1	4	16	24	1,000	979	98·45	97·21
	Magwe	1,557	1,188	.	...	13	70	1,544	1,118	99·16	94·10
	Total	3,946*	4,017	1	12	29*	134	3,916	3,871	99·23	96·36
EASTERN.	Kyauksé	452	430	...	...	117	..	335	439	74·1	100·00
	Meiktila	849	925	1	3	35	27	813	895	95·76	96·75
	Yamethin	1,100	846	4	3	5	18	1,100	825	99·19	97·51
	Pyinmana	816	691	...	2	69	11	747	678	91·54	98·11
	Total	3,226	2,901	5	8	226	56	2,995	2,837	92·83	97·79
	GRAND TOTAL	14,703	15,682	88	119	355	639	14,260	14,924	96·98	95·16

* Revised figures.

It is to be feared that no very safe or accurate conclusions can be arrived at from a comparison of the figures for the two years. The figures of reported crime for 1889 are those finally adopted by Commissioners last year and are still the best that can be obtained, but they do not pretend to absolute accuracy; on the contrary in several cases they are admittedly inaccurate, *e.g.*, in Mandalay cases not true were omitted from the returns, and Pakôkku would seem to show the number of cases sent up, not the number reported.

Indeed, until the Magistrate's General Register of cases was opened under the orders of the Chief Commissioner in the latter part of 1890, there was no accurate basis for keeping this table, and it had to be prepared as best it could from police statistics and Magistrates' returns, very often themselves faulty and defective. Notwithstanding this drawback it is hoped that the figures of reported cases for 1890 are tolerably accurate; if they are not, it is not for want of pains to secure their accuracy as far as it can be secured under existing circumstances. In future the check register, which in Circular No. 24 of 1890 I have ordered to be opened from the commencement of the current year, should ensure complete accuracy if proper care is taken in keeping it up.

The rules for the classification of reported crime laid down by the Government of India in Home Department No. 1-16—71 (Police), dated the 29th February 1884, were only formally promulgated with my Circular No. 12 in October last. Before this each District Magistrate acted very much on his own ideas of what should be done, and in many districts nothing was done at all to discriminate between true and false cases for statistical purposes. Even now, I fear, the rules are not always understood; it is certain they are worked very differently in different districts.

Indeed the way in which they are worked must depend in a great measure on the idiosyncracy of each District Magistrate. Thus in Kyauksè there were in 1889 as many as 117 cases, 26 per cent. of the number reported declared false or not entered as true; this year a new Deputy Commissioner congratulates himself on false cases having entirely disappeared. But I have seen enough of Kyauksè cases to know that there is very little reason for his congratulation. The disappearance of false cases from his returns is not due to none having occurred which should have been so classed. On the other hand Katha shows 129 cases declared false or not entered as true against none in 1889 and Ye-u 101 against 8; and neither Deputy Commissioner gives any explanation of the large increase. It is no doubt mainly due to little or no pains having been taken in 1889 to classify each case; but the proportion in 1890 of cases false or not entered as true to cases reported is in either district very high. This may perhaps be put down to the same cause as is given for the Lower Chindwin. "Cattle which have strayed are constantly reported as stolen. Such cases are "of course struck off when the missing animals are recovered. This is one cause "why so many cases are returned as not to be entered." But under the rules such cases would be more correctly excluded from the return altogether.

Cases instituted by direct complaint to the Magistrate are in Upper Burma comparatively not numerous; but the number of rejections under section 203, Code of Criminal Procedure, is so extremely small as to make it certain that Magistrates do not take pains to make the examination of a complainant an intelligent enquiry into the subject-matter of the complaint before issuing process for the appearance of the accused. In several instances I have had to notice that a summons or a warrant has been issued as a matter of course without any preliminary examination of the complainant at all.

To take the figures in the statement as they stand, an increase of crime would seem to be indicated greatest in the Northern division, but in Mandalay and Shwebo it is doubtful if the figures for 1889 had been prepared in the same way as those for 1890, whether any material increase would be shown. In the Ruby Mines district the increase is accounted for by a large increase in the district area, to better reporting, due to the extension of police protection, and the establishment of new outposts.

Better reporting is the cause of the increase in cases shown in the Sagaing and Chindwin districts of the Central division, and in Myingyan and Pakôkku

of the Southern division. In Magwe there was a remarkable decrease in crime owing to the settling down of the district.

A decrease in crime is also noticeable in three out of four districts in the Eastern division.

But the most remarkable feature of the reported crime is the great and general decrease in the most serious classes of crimes with violence. This will be apparent from the following statements.

3.—The following table shows true offences reported under each class in the year 1890 as compared with the previous year :—

Division	Name of district.	Year.	Offences against the State, Chapter VI.	Offences against the Army and Navy, Chapter VII.	Offences against the public tranquillity, Chapter VIII.	Offences by, or relating to, public servants, Chapter IX.	Contempts of the lawful authority of public servants, Chapter X.	False evidence and offences against public officers, Chapter XI.	Offences relating to coin and Government stamps, Chapter XII.	Offences relating to weights and measures, Chapter XIII.	Offences affecting the public health, safety, convenience, decency, and morals, Chapter XIV.	Offences relating to religion, Chapter XV.	Offences affecting the human body, Chapter XVI.	Offences against property, Chapter XVII.	Offences relating to documents and to trade or property marks, Chapter XVIII.	Criminal breach of contracts and service, Chapter XIX	Offences relating to marriage, Chapter XX.	Defamation, Chapter XXI.	Criminal intimidation, insult, or annoyance, Chapter XXII.	Offences under special and local laws.	Total of true offences reported.	Remarks.
			Offences under the Indian Penal Code.																			
Northern.	Mandalay	1889	1	...	25	21	12	41	8	1	76	7	369	640	12	3	19	10	24	3,095	4,564	
		1890	3	...	8	8	11	26	1	...	81	3	277	983	3	5	14	12	67	3,305	4,807	
	Bhamo	1889	1	2	9	4	1	4	...	...	5	...	68	107	1	2	7	4	9	62	306	
		1890	1	...	11	6	9	7	...	...	11	...	55	109	...	...	2	1	8	110	330	
	Katha	1889	2	...	5	3	5	12	4	...	10	2	29	222	...	...	...	...	...	23	317	
		1890	15	...	2	3	3	12	...	...	6	...	36	98	...	...	2	1	2	53	233	
	Ruby Mines	1889	...	...	...	...	1	5	...	...	...	...	8	56	...	...	...	...	...	47	117	
		1890	...	...	...	1	3	6	...	...	9	..	11	145	...	...	...	...	3	115	293	
	Shwebo	1889	...	...	10	6	27	23	...	2	22	...	86	215	1	...	2	1	6	95	496	
		1890	...	...	8	1	14	8	...	2	18	...	120	449	1	...	6	4	10	122	763	
	Total	1889	4	2	49	34	46	85	12	3	113	9	560	1,440	14	5	28	15	39	3,342	5,800	
		1890	19	...	29	19	40	59	1	2	125	3	499	1,784	4	5	24	18	90	3,705	6,426	
Central.	Ye-u	1889	...	...	2	7	16	22	...	1	13	2	50	140	...	4	...	...	7	147	411	
		1890	...	...	...	6	6	9	...	1	9	1	26	57	...	...	1	...	5	193	314	
	Sagaing	1889	10	...	4	18	17	12	...	...	15	2	73	227	...	...	...	5	19	146	548	
		1890	...	...	7	11	10	21	1	...	12	1	84	238	1	2	8	6	30	201	633	
	Lower Chindwin ...	1889	1	...	3	2	13	15	...	...	14	1	50	157	...	...	4	...	9	88	357	
		1890	...	...	1	8	6	8	...	1	30	4	61	231	4	...	2	1	16	115	468	
	Upper Chindwin ...	1889	5	...	3	11	2	20	1	...	6	...	38	84	1	...	...	...	8	54	233	
		1890	...	...	6	4	19	18	...	...	12	...	47	141	...	1	3	1	16	87	355	
	Total	1889	16	..	12	38	48	69	1	1	48	5	211	608	1	4	4	5	43	435	1,549	
		1890	..	...	14	29	41	56	1	2	63	6	218	667	5	3	14	8	67	596	1,790	

Division.	Name of district.	Year.	Offences against the State, Chapter VI.	Offences against the Army and Navy, Chapter VII.	Offences against the public tranquillity, Chapter VIII.	Offences by, or relating to, public servants, Chapter IX.	Contempts of the lawful authority of public servants, Chapter X.	False evidence and offences against public officers, Chapter XI	Offences relating to coin and Government stamps, Chapter XII.	Offences relating to weights and measures, Chapter XIII	Offences affecting the public health, safety, convenience, decency, and morals, Chapter XIV.	Offences relating to religion, Chapter XV.	Offences affecting the human body, Chapter XVI	Offences against property, Chapter XVII.	Offences relating to documents and to trade or property marks, Chapter XVIII.	Criminal breach of contracts and service, Chapter XIX.	Offences relating to marriage, Chapter XX	Defamation, Chapter XXI.	Criminal intimidation, insult, or annoyance, Chapter XXII.	Offences under special and local laws.	Total of true offences reported.	Remarks.
			OFFENCES UNDER THE INDIAN PENAL CODE.																			
SOUTHERN.	Myingyan	1889	23	.	1	8	9	32	...	.	14	...	107	386	3	...	3	10	18	154	768	
		1890	1	...	3	5	2	22	...	..	32	2	93	598	4	1	4	5	16	124	912	
	Pakôkku	1889	1	...	5	3	16	19	1	...	14		97	241	3	2	1	10	17	94	524	
		1890	2	...	9	7	16	20	...	...	31	..	160	420	1	2	1	3	22	168	863	
	Minbu	1889	76	...	7	4	..	26	...	...	50	3	140	628		1	3	.	24	118	1,080	
		1890	2	...	7	9	21	16	...	1	42	1	161	455	..	..	5	8	39	212	979	
	Magwe	1889	11	...	7	19	41	27	...	1	8		108	1,242	..	...	2	1	7	70	1,544	
		1890	...	...	2	18	29	53	...	...	14	1	141	674	3	...	1	1	18	163	1,118	
	Total	1889	111	...	20	34	66	104	1	1	86	3	452	2,497	6	3	9	21	66	436	3,916	
		1890	5	..	21	39	68	111	...	1	119	4	555	2,147	6	3	11	17	95	667	3,871	
EASTERN.	Kyauksè	1889	2	...	...	8	4	13	...	..	9	1	58	169	.	...	2	2	4	63	335	
		1890	...	...	3	7	3	22	...	2	19	...	64	148	2	...	4	...	13	152	439	
	Meiktila	1889	1	...	4	8	19	13	...	...	16	...	57	622	...	1	1	4	7	60	813	
		1890	..	...	4	12	13	23	1	1	13	1	139	558	...	...	3	2	18	107	895	
	Yamethin	1889	...	2	11	11	14	23	5	...	32	...	104	676	1	...	1	4	15	201	1,100	
		1890	1	...	7	7	12	9	1	...	29	1	90	464	1	...	2	1	14	177	825	
	Pyinmana	1889	..	...	...	8	13	8	4	...	9	...	116	379	1	6	...	1	18	184	747	
		1890	1	...	3	5	7	21	2	1	23	1	87	351	...	...	2	3	20	151	678	
	Total	1889	3	2	15	35	50	57	9	...	66	1	335	1,846	2	7	4	11	44	506	2,995	
		1890	2	.	17	31	35	75	4	4	84	3	399	1,521	3	...	11	6	65	587	2,837	
	GRAND TOTAL.	1889	134	4	96	141	210	315	23	5	313	18	1,558	6,391	23	19	45	52	192	4,721	14,260	
		1890	26	..	81	118	184	301	6	9	391	16	1,661	6,119	20	11	60	49	317	5,555	14,924	
	Increase	...	...	...	..	...	...	...	...	4	78	...	103	...	...	...	15	...	125	834	664	
	Decrease	...	108	4	15	23	26	14	17	...	...	2	...	272	3	3	...	3	...	...	..	

4. The annexed tables show, district by district, the principal offences against the person and against property for the two past years.

Offences affecting the Human Body.

Offence	No. of head of crime.	True cases.																																			
		Mandalay.		Bhamo.		Katha.		Ruby Mines		Shwebo.		Ye-u		Sagaing.		Lower Chindwin.		Upper Chindwin.		Myingyan		Pakôkku		Minbu.		Magwe.		Kyaukse.		Meiktila.		Yamethin.		Pyinmana.		Total.	
		1889.	1890.	1889	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889	1890.	1889.	1890	1889.	1890	1889.	1890	1889.	1890	1889.	1890.	1889	1890.	1890.	1890	1889.	1890	1890	1890.	1889.	1890.	1889	1890.
Murder	20	7	5	...	5	12	1	..	1	15	4	5	3	8	5	10	...	3	..	12	4	12	3	19	9	23	5	4	...	2	4	5	3	...	8	137	60
Attempt at murder	21	1	...	...	...	.	..	2	...	.	..	...	..	...	1	...	...	...	...	.	...	...	3	1	.	..	...	1	...	1	1	2	1	...	...	8	6
Culpable homicide	22	1	2	...	1	...	...	...	...	4	...	1	..	..	...	...	...	...	...	...	...	2	3	1	1	...	3	...	2	1	1		1	3	...	18	14
Attempt at culpable homicide	24	...	...	2	1	..	...	...	...	...	...	..	...	...	...	...	...	...		...	...	...	.	...	...		..	...	...	...	...	...	...	.	...	2	1
Grievous hurt	32	7	4	1	1	5	...	1	1	...	1	4	3	2	6	3	2	3	1	5	10	4	3	8	5	4	5	2	4	4	8	1	11	4	14	58	79
Rape	42	1	3	...	2	1	7	1	...	2	3	...	1	11	2	...	2	1	1	1	6	3	6	4	7	6	4	3	4	4	6	5	4	3	5	46	63
Unnatural offences	43	...	...	..		..	...	...	...	...	2	...	.	...	1	..	1	1	...	1	..	.	2		2	1	..	...	...	.			..	..	...	3	8
Hurt	33	68	38	4	10	1	7	2	2	18	37	8	6	19	19	19	23	6	3	30	16	25	44	37	55	29	54	11	18	9	26	47	31	23	17	356	406
Criminal force and assault	36	257	209	56	32	10	18	2	6	39	58	24	8	27	44	13	23	18	37	49	45	47	77	54	71	30	63	32	30	34	85	36	37	7	40	735	863

Offences against Property.

Offence	No. of head of crime.	True cases. Mandalay. 1889.	Mandalay. 1890.	Bhamo. 1889.	Bhamo. 1890.	Katha. 1889.	Katha. 1890.	Ruby Mines. 1889.	Ruby Mines. 1890.	Shwebo. 1889.	Shwebo. 1890.	Ye-u. 1889.	Ye-u. 1890.	Sagaing. 1889.	Sagaing. 1890.	Lower Chindwin. 1889.	Lower Chindwin. 1890.	Upper Chindwin. 1889.	Upper Chindwin. 1890.	Myingyan. 1889.	Myingyan. 1890.	Pakôkku. 1889.	Pakôkku. 1890.	Minbu. 1889.	Minbu. 1890.	Magwe. 1889.	Magwe. 1890.	Kyaukse. 1889.	Kyaukse. 1890.	Meiktila. 1889.	Meiktila. 1890.	Yamethin. 1889.	Yamethin. 1890.	Pyinmana. 1889.	Pyinmana. 1890.	Total. 1889.	Total. 1890.
Dacoity	52—55	63	15	17	7	124	25	26	27	85	52	33	8	32	6	48	1	23	27	109	22	60	17	150	16	334	19	51	9	65	9	36	11	55	40	1,311	311
Robbery, including attempts	49—51	30	16	...	2	5	3	9	16	2	2	5	1	15	8	11	1	...	6	14	30	13	14	45	28	62	21	4	8	46	15	25	17	26	9	313	197
House-breaking and lurking house-trespass.	66—68	21	23	7	6	8	5	..	6	...	1	...	...	3	6	2	17	4	4	5	3	1	5	3	42	...	11	1	7	2	5	16	15	6	9	79	165
Other house-trespass ...	64 & 65	13	29	4	3	...	...	...	1	3	4	1	3	3	7	3	9	1	3	10	3	8	9	8	.	6	6	4	5	5	17	3	6	5	5	77	110
Criminal trespass	63	12	11	6	4		3	...	4	...	5	3	1	26	21	2	3	...	5	22	40	35	44	19	12	28	77	...	3	8	27	48	41	2	10	211	311
Cattle-theft ...	44	55	115	14	10	30	10	3	11	34	26	48	15	43	22	13	57	3	11	39	153	29	125	148	95	472	478	16	37	285	219	220	152	50	37	1,502	1,573
Other theft and receiving stolen property.	45—56	672	646	85	60	55	38	17	72	67	82	28	13	48	114	63	117	53	57	104	274	54	183	206	167	209	179	66	46	178	161	273	174	187	192	2,315	2,545

It will be seen that dacoities have fallen from 1,311 in 1889 to 311 in 1890 and robberies from 313 to 197. The figures for Lower Burma in 1889 were 538 dacoities and 333 robberies

The most remarkable decrease of crime is noticeable in Magwe district, where there were only 19 dacoities and 21 robberies against 334 and 63 respectively in 1889; in Minbu, where dacoities in the two years were 150 and 16, and robberies 45 and 28; Katha (dacoities 124 and 25 robberies five and three); and the Lower Chindwin, where there were only one dacoity and one robbery during the year against 48 and 11 in the previous year. There was also a large decrease in the number of dacoities in Myingyan. The decrease under this head is apparent in every district except the Ruby Mines and the Upper Chindwin. In the Ruby Mines district 10 out of the 27 dacoities occurred in the tract which was only added to the district in October 1889, so that really only 17 dacoities were committed in the original district area, and this too with improved reporting as against 26 cases in the previous year with defective reporting. Crime under the head of dacoity has thus really considerably decreased and is, moreover, of a less serious type. The district is certainly quieter and freer from organized crime, and the people are more contented and prosperous. The Deputy Commissioner, Upper Chindwin, has not thought the apparent increase of dacoity in his district a matter which called for explanation. To save time an explanation has at my request been furnished by Mr. Thurston (now Deputy Commissioner, Yamèthin), who was in the Upper Chindwin during a great part of 1890:

"The number of dacoities rose in 1890 owing to the failure of the police to account for the gang of Tun E and Tun Tha. This gang was composed of seven men and they were harboured in the Kale State, and half the dacoities may be laid at their door We were also troubled by the followers of the Shwegyobyu, who lived in the Chin Hills, and raided into our district Since the end of 1890 the Shwegyobyu and his followers have been accounted for, and Tun E's gang broken up. The dacoities occurred generally in the cold and dry seasons I consider that the state of the district at the close of the year as regards violent crime was normal; but as since then Tun E has been killed and two of his followers sentenced to seven years each, and the Shwegyobyu and his gathering disposed of, the district should be in a better condition than at any time since the annexation."

The Shwebo district has been free from dacoity during the last three quarters of the year. All the 52 dacoities shown in the table occurred in the first quarter. The district settled down immediately when the dacoit bands were broken up. The good behaviour of the hundreds of surrendered dacoits is very striking.

The Yoma operations, which lasted from December 1889 to June 1890 under Mr. Porter, Deputy Commissioner, Pyinmana, led to the dacoit gangs which infested the hill ranges between the Magwe and Pyinmana districts being broken up and brought about complete tranquillity in the two districts.

But, while dacoity and robbery show a very marked decrease, there are more cases of house-breaking and house-trespass entered than in 1889. There are 1,573 cases of cattle theft against 1,502, and other thefts are returned as 2,545 against 2,315 in 1889. Under the last two heads the districts of Myingyan and Pakôkku are conspicuous for a large increase, which certainly cannot be attributed entirely to better reporting, though there can be no doubt that many cases are now reported which would not have been reported two or three years ago. Everywhere reporting has greatly improved, though the expressed conviction of the Deputy Commissioner, Magwe, that in 1890 hardly any theft escaped report in his district probably goes a little too far. Many of the dacoities and robberies in the past were raids for the purpose of stealing cattle; but now as a rule cattle are simply stolen, often from the grazing-ground. The number of cattle lifted and stolen is now very much less than it used to be.

Major Adamson writes: "The people themselves are fully alive to the safety "of their property and I have heard many say that never, even in King Mindôn's "time, was property so secure as it is now. They cannot even be led to see that "cattle-theft is prevalent. They have been accustomed to see it so much worse." And this remark has special reference to Meiktila, a district which appears from the statement to be one of the worst for cattle-theft.

But indications are not wanting that cattle-theft is the crime which will require special attention in the future. The track law properly worked is no

doubt a formidable weapon for repressing it; but unfortunately the track law (though strictly enforced whenever practicable) in many parts necessarily remains a dead-letter, *e.g.*, where the nature of the soil, as in the Mandalay district, renders tracking a difficult matter. Rules are now under consideration for the check of cattle-lifting, which it is proposed to apply throughout the Northern division, and the slaughter-houses in Mandalay are being put under systematic supervision.

Adverting now to crimes against the person it will be seen that murders have decreased from 137 to 60; but the real decrease is greater, inasmuch as several of those first reported in 1890 occurred in previous years. Grievous hurt shows an increase in the Eastern division. The increase under rape and unnatural offences is to some extent attributable to the influx of Indians. Amongst Burmans rape is often committed, but not reported. Though a common offence it is not regarded by them as a very serious one, and before the annexation it could be, and generally was, compounded on a money payment. The only reason I can assign for the increase shown against minor offences against the person is that people have begun to resort much more to the Courts in cases of hurt and assault than they did when the country was less quiet. That offences of this description have increased with the quieting of the country is impossible and opposed to every-day experience.

SECTION II.—TRIBUNALS AND WORK DONE BY THEM.

5. The following table shows the number of Sessions and Additional Sessions Judges, and the effective strength of the magistracy at the close of the year:—

Number and Distribution of Judges and Magistrates.

Division.	Name of district.	Judges.		Stipendiary Magistrates.				Special Magistrates.				Honorary Magistrates including Benches.			
		Sessions Judges.	Additional Sessions Judges.	First class, including Deputy Commissioner.	Second class.	Third class.	Total.	First class.	Second class.	Third class.	Total.	First class.	Second class.	Third class.	Total.
Northern.	Mandalay	1	...	4	7	6	17	...	...	...	...	...	...	...	...
	Bhamo		..	4	4	3	11	1	...	...	1	...	...	...	...
	Katha		...	4	5	2	11	1	...	...	1	...	...	...	...
	Ruby Mines		...	2	2	..	4	1		.	1	...	...	...	...
	Shwebo		.	3	5	2	10	1		...	1	.	...	...	...
	Total	1	...	17	23	13	53	4		...	4	...	...	...	...
Central.	Ye-u	1	...	3	3	2	8	1	...	...	1	..	...	...	...
	Sagaing		...	4	4	3	11	1	..	...	1	.	...	...	...
	Lower Chindwin		...	3	6	1	10	1	...		1	...	...	...	...
	Upper Chindwin		...	3	6	2	11	1	...	.	1	...	...	...	...
	Total	1	...	13	19	8	40	4	..	...	4	...	...	...	...
South-Eastern.	Myingyan	1		3	7	3	13	1			1	...		6	6
	Pakkôku		...	4	10	2	16	1		..	1	..	...	...	
	Minbu		...	3	5	4	12	1	.	...	1	...	..	..	...
	Magwe			4	7	2	13	1	...	...	1	.	..	...	...
	Total	1		14	29	11	54	4		...	4	..	...	6	6
Eastern.	Kyauksè	1	..	3	4	3	10	.	...	...	...	.	.	..	...
	Meiktila		..	2	7	1	10	...	...	...	...	...	...	...	...
	Yamèthin		..	2	4	1	7	1	...	..	1	....	...	...	..
	Pyinmana			3	3	1	7	1	.	...	1	..	.	...	...
	Total	1	...	10	18	6	34	2	...	...	2	..		...	...
	Grand Total	4	..	54	89	38	181	14		...	14	...	...	6	6

Persons disposed of by Magistrates.

Division.	Name of district.	At headquarters of district.				At headquarters of subdivisions.			At headquarters of townships.			Total disposed of.
		Deputy Commissioner.	Assistant and Extra Assistant Commissioner.	Myoôks.	Honorary and Special Magistrates	Assistant and Extra Assistant Commissioners	Myoôks	Honorary and Special Magistrates.	Assistant and Extra Assistant Commissioners.	Myoôks.	Honorary and Special Magistrates.	
Northern	Mandalay ...	299	824	3,836	...	787	283	..		204		6,233
	Bhamo	109	.	275	...	124	82	..	.	15	...	555
	Katha ...	68	...		...	198	...	...	.	128		389
	Ruby Mines ...	143	144	1	...		..		...	88	...	371
	Shwebo ...	41	39	432		41	145	...	...	165		868
	Total ..	655	1,007	4,544	...	1,150	460		...	595	...	8,411
Central.	Ye-u ...	185	.		...	193	180	...	...	94	..	602
	Sagaing ..	92	...	317	..	63	329	.		486		1,287
	Lower Chindwin	193	.	289	..	1	14	...	...	74	...	571
	Upper Chindwin	32		46	...	326	105	...	.	53		562
	Total .	502		652	...	583	578	...	...	657		2,972
Southern.	Myingyan	63	113	...	28	126	717			274	6	1,327
	Pakôkku	132	105	352		218	11	...	...	346		1,164
	Minbu ...	56	...	175	...	593	295	.	...	199		1,318
	Magwe ...	189	.	215	...	595	332	...		482		1,813
	Total .	440	218	742	28	1,532	1,355	...		1,301	6	5,622
Eastern.	Kyauksè	76		145	..	295			..	270	...	786
	Meiktila ...	78	197	196		240	138	..	...	140	..	989
	Yamèthin .	89		96	15	574			...	256	...	1,030
	Pyinmana .	49	445	266	3	...	73	...		56	...	892
	Total ..	292	642	703	18	1,109	211	...		722	...	3,697
	Percentage to disposed of.	9·12	9·02	32·08	0·22	21·13	12·58	...	...	15·82	0·03	100·00

The figures for Mandalay are somewhat misleading: 641 cases disposed of by the Cantonment Magistrate are included in the column of cases disposed of at headquarters of subdivision, when really these cases belong to the town. There have thus only been 633 persons, disposed of in Courts outside the town of Mandalay, that is, 10·2 per cent. as compared with 8·54 of the previous year.

The number of cases in Mandalay town would thus appear to be approximately 5,600. In Rangoon, with a slightly smaller population, the number of cases in 1889 was 9,382.

A number of persons have been gazetted as Honorary Magistrates in Mandalay and Pakôkku, but they do not appear to have been ever called on to exercise their powers. It is very desirable, in Mandalay at least, that there should be a Bench of Honorary Magistrates, who would relieve the Junior Assistant Magistrate of much of the work which devolves upon him at present, especially in connection with breaches of Municipal rules.

6. The following table shows the result of trials and enquiries by Magistrates in each district:—

Division.	Name of district.	Persons under trial.	Convicted or committed.	Acquitted or discharged.	Died, escaped, transferred, or remaining.	Percentage of convictions and committals to total tried.	
						1889.	1890.
Northern.	Mandalay	6,278	4,372	1,861	40	71·81	69·69
	Bhamo	562	365	190	7	60·00	64·96
	Katha	394	267	122	5	65·85	67·76
	Ruby Mines	386	274	97	15	79·50	70·98
	Shwebo	865	614	249	2	62·57	70·98
	Total ...	8,480	5,892	2,519	69	70·35	69·48
Central.	Ye-u	606	462	140	4	77·06	76·23
	Sagaing	1,299	843	394	62	63·3	64·89
	Lower Chindwin	579	403	168	8	73·76	69·60
	Upper Chindwin	588	422	140	26	70·15	71·76
	Total ...	3,072	2,130	842	100	72·75	69·33
Southern.	Myingyan	1,376	791	536	49	54·46	57·48
	Pakôkku	1,179	758	406	15	64·08	64·29
	Minbu	1,352	828	490	34	58·67	61·24
	Magwe	1,848	1,057	756	35	63·08	57·19
	Total ...	5,755	3,434	2,188	133	58·94	59·66
Eastern.	Kyauksè	825	587	199	39	67·00	71·15
	Meiktila	999	527	462	10	80·31	52·75
	Yamethin	1,053	632	398	23	55·85	60·01
	Pyinmana	916	583	309	24	63·00	63·64
	Total ...	3,793	2,329	1,368	96	62·02	61·40
	Grand Total ...	21,100	13,785	6,917	398	66·04	65·33

7. Cases in which security was demanded for good behaviour in the past two years (Chapter VIII, C. C. P.) are shown below.

Division.	Name of district.	Persons concerned.		Persons discharged.		Persons convicted.		Percentage of persons convicted to total number of persons concerned.	
		1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Northern.	Mandalay . ..	89	81	16	22	73	59	82·02	72·83
	Bhamo	3	19		3	3	15	100 00	78·94
	Katha ...	3	24		6	3	18	100·00	75·00
	Ruby Mines ...	1	21	..	5	1	16	100·00	76 19
	Shwebo	12	2	1	..	11	2	92 5	100·00
	Total	108	147	17	36	91	110	84·25	74·82
Central.	Ye u	*	151		11	*	139	*	92·05
	Sagaing	75	7	8	4	67	3	89 33	42·85
	Lower Chindwin ..	27	22	2	6	25	16	92 59	72·72
	Upper Chindwin	6	15	...	...	6	15	100·00	100·00
	Total	108	195	10	21	98	173	90·74	88 71
Southern.	Myingyan	8	8	2	1	6	6	75·00	75·00
	Pakôkku	4	6	...	1	4	5	100·00	83 33
	Minbu . ..	3	48		11	3	37	100·00	77·08
	Magwe . .	4	16	1	2	3	13	75 00	81·25
	Total ...	19	78	3	15	16	61	84 21	78·21
Eastern.	Kyauskè	24	14	8	5	16	9	66 66	6·42
	Meiktila	13	47	3	5	10	34	76 92	72 34
	Yamèthin ...	39	62	11	26	28	36	71·79	58·06
	Pyinmana ...	108	30	8	1	100	29	92 59	96·66
	Total	184	153	30	37	154	108	83 69	70·58
	Grand Total	419	573	60	109	359	452	85·68	78 88

* No record kept.

There is a very large number of persons conditionally released on security under executive orders. The quiet behaviour of these released dacoits is remarkable.

8. The next table shows the result of enquiries and trials by District Magistrates sitting as Sessions Judges during past the two years for the whole district.

Result of Trials by Judges in each district.

District Sessions division.	Persons under trial.	Convicted.	Acquitted or discharged.	Died, escaped, transferred, or remained.	Persentage of convictions to total tried. 1889.	1890. (1st January to 25th July).
Mandalay	31	18	13		63·73	58·06
Bhamo	4	2	2	...	100·00	50·00
Katha	60	36	24	.	.	60·00
Ruby Mines	8	7	1	...	100·00	87·5
Shwebo	116	108	8	...	...	93·10
Total ...	219	171	48	...	64·42	78·07
Yo-u	34	16	18	. .	88·29	47·05
Sagaing	21	17		4	65·8	80·95
Lower Chindwin	20	19	1	...	78·33	95·00
Upper Chindwin	28	19	8	1	75·86	67·85
Total ...	103*	71	27	5	73·93	68·93
yingyan	60	45	15	.	62·91	75·00
Pakôkku	40	23	17	...	87·74	57·5
Minbu	43	30	13	.	49·82	69·76
Magwe	79	67	12	...	69·42	84·81
Total ...	222	165	57		65·48	74·32
Kyauksè	14	12	2	...	75·80	85·71
Moiktila	28	19	8	1	56·56	67·85
Yamèthin	29	25	4	. .	54·05	86·20
Pyinmana	27	27	...	...	56·00	100·00
Tota ...	98	83	14	1	64·50	84·69

* Of these 31 persons were disposed by the Additional Sessions Judge.

The following table shows the result of trials before Sessions Judges from the 26th July to the 31st December 1890;—

Sessions division.	Cases committed.	Persons committed.	Number of persons: Convicted or referred under section 374, C.C.P.	Acquitted.	Died, escaped, transferred, or pending.	Percentage of convictions (column 4) to total disposed of (columns 4 and 5).
1	2	3	4	5	6	7
Northern, Mandalay	12	22	11	7	4*	61·11
Central, Sagaing	19	25	24	1	...	96·00
Southern, Minbu	20	39	20	16	3†	55·55
Eastern, Yamèthin	14	18	11	6	1†	64·70
Total ...	65	104	66	30	8	68·75

* Two died and two pending. | † Pending.

9. The following table shows the number of persons referred to the Sessions under sections 34 and 123, C. C. P., from the 26th July to the 31st December 1890:—

Sessions division.	Number of cases referred.	Number of persons referred.	Number of persons.			Percentage of convictions (column 4) to total disposed of (columns 4 and 5).
			Convicted.	Acquitted.	Died, transferred, or pending.	
1	2	3	4	5	6	7
Northern, Mandalay	22	32	29	...	3	100·00
Central, Sagaing	2	4	4	...	...	100·00
Southern, Minbu*	12	19	19	...	...	100·00
Eastern, Yamèthin	24	32	31	1	..	96·87
Total ...	60	87	83	1	3	98·80

* Pending.

SECTION III.—PUNISHMENT.

10. Statement No. 5 shows details of the punishments inflicted by Sessions and Magisterial Courts during the year.

The following table compares the sentences passed in Sessions Courts in the past two years:—

Punishments in Sessions Courts.

Class of punishment.	1889.	1890.
Death	195*	60*
Transportation for life	246	63
Transportation for a term	292	57
Rigorous imprisonment only	532	268
Simple imprisonment only	11	1
Fine only	49	2
Whipping only	83	15
Fine and whipping only	8	5
Rigorous imprisonment with fine	81	72
Rigorous imprisonment with whipping	222	120
Simple imprisonment with fine	....	1
Total ...	1,719	659

* Sentences confirmed by the Judicial Commissioner.

There is a very marked decrease both in the number and in the severity of sentences passed by Sessions Judges, attributable to the cessation of organized dacoity and the diminution of violent crime generally.

11. The following table shows the different classes of punishments inflicted in Magisterial Courts:

Division.	Name of district.	Total number of persons punished.	Fine only		Whipping only.		Fine and whipping only.		Rigorous imprisonment only.		Simple imprisonment only.		Rigorous or simple imprisonment with fine or whipping, or both.		Solitary confinement.	
			Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.	Number of persons.	Percentage to total punished.
Northern.	Mandalay	4,192	3,351	79·93	197	4 69	.		340	8·11	19	0·45	85	2·02	10	·23
	Bhamo	302	235	77·81	41	13·57	1	0·33	53	17·54	2	0·66	10	3 31	...	...
	Katha .	212	109	51·41	17	8·01			61	28 77	6	2·83	19	8·96		...
	Ruby Mines .:.	259	163	62·93	20	7·72			51	19·69	3	1·15	22	8·49	...	...
	Shwebo	545	406	74·49	37	6 78			69	12·66	..	...	33	6·05	...	...
	Total ..	5,510	4,264	77·38	312	5 66	1	0·01	574	10·41	30	0·54	169	3·07	10	0·18
Central	Ye-u .	316	195	61·70	14	4·43		...	78	24·68	9	2·84	16	5·06	4	1·26
	Sagaing	829	538	64·89	47	5·66	...	...	109	13·14	7	0·84	83	10·01	...	.
	Lower Chindwin ...	382	253	66·23	23	6·02	...	. .	84	21·98	3	0·78	19	4·97	...	..
	Upper Chindwin ...	398	248	62 31	16	4 02		...	88	22·11	10	2·51	36	9·04	...	...
	Total . .	1,925	1,234	64·10	100	5·19		...	359	18·64	29	1·50	154	8·00	4	0·20
Southern	Myingyan ...	624	380	60·89	52	8·33		..	155	24·83	12	1·92	25	4·00	11	1 76
	Pakôkku	683	457	66·91	35	5·12	.	...	131	19·18	9	1·31	51	7 46	2	0·29
	Minbu	691	535	77·42	12	1·73	...	.	89	12·87	18	2·60	37	5·35	1	0·14
	Magwe	890	497	55·84	49	5·50	...		178	20·00	22	2·47	144	16·17	1	0·11
	Total ...	2,888	1,869	64·71	148	5·12	...		553	19·14	61	2·11	257	8·89	15	0·51
Eastern.	Kyauksè	565	385	68·14	47	8 31	...		105	18·58	5	0·88	23	4·07	3	0·53
	Meiktila	466	259	55·57	34	7·29	2	0·42	94	2·17	3	0·64	74	15·87	2	0·42
	Yamèthin	591	410	69·37	25	4·23	...	...	118	19·96	12	2·03	26	4·39	.	...
	Pyinmana	532	346	65·03	33	6·20	..	...	115	21·61	8	1·50	30	5·63	. .	...
	Total ...	2,154	1,400	64·99	139	6·40	2	0·09	432	2·00	28	1·29	153	7·10	5	0·23
	Grand Total ...	12,477	8,767	70·26	699	5·60	3	0·02	1,918	15·37	148	1·18	733	5·87	34	0·27

Sentences of fine only formed 70·26 per cent. of the total number of punishments inflicted and sentences of whipping 5·60 per cent. The number of persons sentenced to solitary confinement is very small. Solitary cells have now been built in sufficient numbers, and Magistrates have by circular had their attention called to the value and use of this form of punishment, especially in the case of re-convicted men.

12. The degrees of punishment inflicted in Sessions and Magisterial Courts are given below.

Degress of punishment in Sessions and Magisterial Courts.

Degrees of punishment.	1889.		1890	
	Persons.	Percentage.	Persons.	Percentage.
Imprisonment (a)—				
Not exceeding 15 days	171	5·07	870	11·20
Not exceeding six months	1,255	37·24	1,511	45 74
Not exceeding two years	961	28·52	1,008	30·37
Not exceeding seven years	636	18·87	386	11·66
Exceeding seven years	347	10·30	34	1·03
Total ...	3,370	100·00	3,308	100·00
Whipping (b)—				
Ten stripes and under	135	10·71	137	14·44
Eleven to 20 stripes	390	30·95	352	37·09
Twenty-one to 30 stripes	735	58·34	460	48·47
Total ..	1,260	100·00	949	100·00
Fine (c)—				
Rupees 10 and under	5,167	65·90	6,376	65·40
Rupees 50 and under	2,116	26·99	2,736	28·07
Rupees 100 and under	317	4·04	340	3·49
Rupees 500 and under	195	2·49	281	2·88
Rupees 1,000 and under	45	0·58	9	0·09
Exceeding Rs. 1,000	...	...	7	0·07
Total	7,840	100·00	9,749	100·00

Compared with 1889 an increased leniency in punishment is indicated by this statement. The increase in sentences of imprisonment not exceeding 15 days from 5·07 to 11·20 can hardly be considered satisfactory. Sentences for short terms of imprisonment imposed away from the district headquarters cannot be properly carried out and made really deterrent, while, if the prisoners are sent to the district jail, an escort and the attendant expenses have to be arranged for. A fine would in many instances have been an adequate punishment for these minor offences. The proportion of the different degrees of fine call for no remarks.

13. The following table shows how habitual offenders have been dealt with in the Criminal Courts :—

Number of times previously convicted.	NUMBER OF PERSONS SENTENCED TO									
		IMPRISONMENT OTHERWISE THAN IN DEFAULT OF FINE.								
	Transportation.	Above seven years.	Seven years and under.	Two years and under.	Six months and under.	Two months and under.	Fifteen days and under.	Fine only.	Whipping only.	Total.
1	2	3	4	5	6	7	8	9	10	11
Persons previously convicted once .	1	...	8	58	25	22		1	15	130
Persons previously convicted twice	...	2	7	9	3	2	...	...	3	26
Persons previously convicted three times.	.		1	2	3	...	.	...	3	9
Persons previously convicted four times.	...	...	.	...	...	...	...	..	...	...
Persons previously convicted five times.	.	...	...	...	...	...	...	..	...	...
Persons previously convicted six times.	...	...	...	...	..	...	...	...	...	...
Persons previously convicted seven times.	...	...	...	...		...	..	...	...	...
Persons previously convicted nine times.	...	...	...	..	...	...	...	...	...	...
Total ...	1	2	16	69	81	24	...	1	21	165

As far as this table goes it would seem to show that habitual offenders have been adequately dealt with, but there can be no doubt that it is imperfect and that many persons who have really been previously convicted have been sentenced without anything being known of their antecedents. The Superintendent of the Mandalay Jail has brought to notice more than one case of the kind. It will be difficult altogether to prevent such persons escaping recognition, especially where the previous convictions have been in Lower Burma, but attention is being paid to the keeping up of the Previous Conviction Register (No. IX) in each district, and it is hoped that within the next few months the registers for 1889 and previous years, where available, will all be properly indexed, printed, and circulated to District and Police Officers. They have already reached the Judicial Commissioner's office from several districts.

14. The fines imposed, realized, remitted, and struck off as unrealizable in the past two years and the amount of compensation given to complainant is shown below :

	1889.			1890.		
	Rs.	A.	P.	Rs.	A.	P.
Imposed	1,75,725	10	5	2,14,727	12	0
Realized	1,20.459	12	1	1,49,084	15	6
Remitted	4,003	0	0	15,393	0	6
Struck off	173	8	0	12,936	6	4
Compensation granted	12,820	12	7	11,794	13	1

District	Imposed	Realized	Remitted	Struck off	Compensation	Outstanding including balance of previous year's fine
	Rs A P	Rs A P	Rs A P	Rs. A P	Rs A P	Rs A P
Mandalay	41 166 12 9	25 679 9 2		600 0 0	2,174 14 8	55 608 5 6
Bhamo	4 194 8 6	3,865 8 6	15 0 0		165 0 0	1,078 0 0
Katha	4 880 0 0	4 333 1 10	10 0 0	322 0 0	470 0 0	5 002 14 2
Ruby Mines	4 507 0 0	3,193 15 10		143 7 4	1 592 8 0	1 921 8 6
Shwebo	12,450 4 3	10 529 8 3	924 0 0	100 0 0	713 8 0	19 937 9 9
Ye u	6,840 15 0	8 703 14 0	100 0 0	354 3 9	100 15 0	2 793 5 3
Sagaing	20,937 13 0	12 909 10 0		1,015 0 0	1,498 6 8	11,394 15 0
Lower Chindwin	6 067 0 0	4 581 9 6	152 0 0	1,876 3 9	240 0 0	1 333 6 6
Upper Chindwin	8 755 0 0	5,868 2 5	300 0 0		386 12 0	5 660 15 3
Myingyan	10 279 2 0	9 630 5 7	2,100 0 0	3 060 0 0	436 12 0	4,615 10 8
Pakôkku	20,125 0 0	12 618 10 0	970 0 0		425 0 0	11 161 6 0
Minbu	11 379 3 0	8 554 9 0	621 15 0	4,730 7 7	445 10 0	2 944 10 0
Magwe	22 757 12 0	11,291 9 0	7 553 1 0		214 0 0	5 477 10 10
Kyaukse	8 481 8 6	6 808 10 7	2,237 0 6	335 0 0	913 7 0	1 183 2 5
Meiktila	11,567 8 0	7,712 1 9		400 0 0	675 2 9	9 709 6 7
Yamethin	7 117 5 0	6,274 3 1	165 0 0	. .	941 5 0	4,114 7 10
Pyinmana	8,821 0 0	4 321 5 0	245 0 0		291 8 0	6,346 5 0
Commissioner, Northern Division	150 0 0	150 0 0			100 0 0	
Commissioner, Central Division						
Commissioner, Southern Division	2,000 0 0					2,000 0 0
Commissioner Eastern Division						
Total	2,19 727 12 0	1,49,034 15 6	15,393 0 6	12 936 6 4	11,794 13 1	1,52,286 10 10

The proportion of fines realized to fines imposed is 69·41 in 1890, a slight improvement in 1889, when it was 68·55. Realizations were worst in Pyinmana, Magwe, Sagaing, and Mandalay districts.

The total amount of fines outstanding at the end of the year was Rs. 1,52,286-10-10, of which more than one-third is due in Mandalay alone. The fines imposed by Burman Magistrates in assaults and petty cases are comparatively high, but they are usually realized in full.

SECTION IV.—WITNESSES.

15. The next table shows the detention of witnesses in Sessions and Magisterial Courts and the number of witnesses examined.

Examination and detention of Witnesses in Sessions and Magisterial Courts.

Witnesses discharged in all Courts.	Number of witnesses examined.					
	1889.		1890			
	Number.	Percentage to total witnesses discharged.	Number	Percentage to total witnesses discharged.	1889.	1890.
First day	17,803	83·91	24,833	85·65	9,371	
Second day	1,981	9·51	2,634	9 08	859	..
Third day	661	3·30	866	2·99	861	...
After third day	627	3·28	662	2·28	339	...
Total	21,072	100 00	28,995	100 00	10,930*	26,969

A slight improvement is apparent.

* The figures for the Southern Division are not available.

16. The following table shows the average duration of cases brought to trial and disposed of by Magistrates:—

Division.	Name of district.	Number of cases disposed of	Total duration.	Average duration of all cases. 1889.	Average duration of all cases. 1890.
			Days.	Days.	Days.
Northern ...	Mandalay	4,448	14,522	3	4
	Bhamo	335	1,683	Not stated.	5
	Katha	246	1,516	3	6
	Ruby Mines	192	786	3	4
	Shwebo	454	2,712	Not stated	6
	Total ...	5,675	21,219	3	4
Central ...	Ye-u	378	1,628	4	4
	Sagaing	540	4,786	9	9
	Lower Chindwin	330	1,363	7	4
	Upper Chindwin	321	1,477	11	5
	Total ...	1,569	9,204	6	6
Southern ...	Myingyan	751	3,219	6	4
	Pakôkku	676	3,486	6	5
	Minbu	657	5,518	14	8
	Magwe	826	9,971	18	12
	Total ...	2,910	22,194	11	8
Eastern ...	Kyauksè	95	161	3	2
	Meiktila	582	4,972	5	9
	Yamèthin	555	2,417	4	4
	Pyinmana	485	4,166	8	9
	Total ...	1,717	11,716	5	7
	Grand Total ...	11,871	64,333	6	5

This table shows that there has been a very marked improvement in Magwe, Minbu, and the Upper and Lower Chindwin, but a decided falling off in Meiktila, principally due to delays in the Thazi Myoôk's Court.

17. The duration of cases tried by Courts of Session in the past two years calculated from the day of commitment is given below :

	Sessions division.	Number of cases tried.	Total duration.	Average duration. 1889.	Average duration. 1890.
Northern.	Deputy Commissioner, Mandalay	12	212	23	18
	Deputy Commissioner, Bhamo	3	24	15	8
	Deputy Commissioner, Katha	28	895	13	32
	Deputy Commissioner, Ruby Mines	4	19	12	5
	Deputy Commissioner, Shwebo	41	217	12	5
	Commissioner, Northern Division	10	367	...	37
	Total ...	98	1,784	14	18
Central.	Deputy Commissioner, Ye-u	22	103	6	5
	Deputy Commissioner, Sagaing	16	91	10	6
	Deputy Commissioner, Lower Chindwin ...	19	158	6	8
	Deputy Commissioner, Upper Chindwin ...	10	260	10	26
	Commissioner, Central Division	19	1,428	...	75
	Total ...	86	2,035	8	24
Southern.	Deputy Commissioner, Myingyan	37	614	11	17
	Deputy Commissioner, Pakôkku	30	986	9	33
	Deputy Commissioner, Minbu	15	378	17	25
	Deputy Commissioner, Magwe	35	765	21	22
	Commissioner, Southern Division	17	827	...	49
	Total ...	134	3,570	14	27
Eastern.	Deputy Commissioner, Kyauksè	8	90	19	11
	Deputy Commissioner, Meiktila	13	166	21	13
	Deputy Commissioner, Yamèthin	15	223	Not stated	15
	Deputy Commissioner, Pyinmana	15	343	24	23
	Commissioner, Eastern Division	37	443	...	12
	Total ...	88	1,265	...	16
	Grand Total ...	406	8,604	...	22

The duration of cases in the Court of the Commissioner of the Central Division is excessive and should have been explained.

Section V.—Appeals.

18. The number of appeals disposed of last year as compared with the previous year is shown below :

Appellate Court.	1889.	1890.
District Magistrate and Magistrates specially empowered to hear appeals ...	309	214
Sessions Judge		297
Judicial Commissioner	118	335
Total ...	427	846

The number of appeals has grown from 362 in 1888 to 847 in 1890. The procedure formerly in force tended to shut out appeals, and convictions were in a great number of cases based on confessions, especially in cases under 395 and 400, Indian Penal Code. Moreover, the system of appeal in criminal cases was new to the country.

19. The results of appeals disposed of by District Magistrates and Sessions Judges are shown in the next table.

Results of Appeals.

Class of Appellate Court.	Total cases disposed of.	Total appellants disposed of.	Persons whose: Appeals were rejected.	Appeals were dismissed.	Sentences were reduced.	Sentences were otherwise altered.	Sentences were reversed.	Percentage of appeals rejected and dismissed to total appellants disposed of.	Remarks.
Mandalay ...	19	19	1	11	6	...	1	63·15	
Bhamo ...	...	...	...	...	...	...	...	...	
Katha ...	1	1	...	...	...	...	1	...	
Ruby Mines ...	...	...	...	...	...	...	...	...	
Shwebo ...	10	27	23	2	1	..	1	92·59	
Sessions Judge ...	59	59	22	13	12	...	12	59·32	
Total ...	89	106	46	26	19	...	15	67·92	
Ye-u ...	14	18	2	10	1	...	5	66·66	Two referred to High Court for revision.
Sagaing ...	11	18	5	2	...	9	2	38·88	
Lower Chindwin ...	18	24	4	8	10	...	2	50·00	
Upper Chindwin ...	9	9	4	2	2	...	1	66·66	
Sessions Judge ...	42	57	4	33	11	...	8	64·91	One person's sentence enhanced.
Total ...	94	126	19	55	24	9	16	58·73	
Myingyan ...	12	14	...	9	3	...	2	64·28	
Pakôkku ...	12	22	6	3	8	5	...	40·90	
Minbu ...	10	20	...	5	3	4	8	25·00	
Magwe ...	13	25	...	15	4	...	6	60·00	
Sessions Judge ...	152	238	42	95	37	9	46	57·52	Five persons transferred, one new trial ordered, and three persons referred to High Court.
Total ...	199	319	48	127	55	18	62	54·85	
Kyaukse ...	8	10	...	3	1	...	4	30·00	One referred to High Court, one new trial ordered.
Meiktila ...	20	37	12	14	...	5	1	70·27	Three persons' sentence enhanced, two new trials ordered.
Yamethin ...	31	36	11	13	1	1	7	66·66	Two referred to High Court, one new trial ordered.
Pyinmana ...	17	23	1	18	1	3	...	82·60	
Sessions Judge ...	44	46	34	2	...	...	10	78·26	
Total ...	120	152	58	50	3	9	22	71·05	
GRAND TOTAL ...	511	703	171	258	101	36	115	61·02	

The percentage of appeals rejected and dismissed to the total number disposed of was 61·02, a somewhat low average. But it must be remembered that many of the Magistrates have had little training and experience, and there is a great tendency amongst inexperienced Magistrates to pass excessive sentences. It will be observed that the proportion of sentences reduced is as high as 14 per cent., while that of sentences reversed is only 16·8 per cent. The greatest

amount of interference occurred in the Minbu district. I have called for the cases to be sent for my inspection.

20. The result of appeals disposed of by Commissioners of Divisions while exercising the powers of the Judicial Commissioner from the 1st to the 25th July 1890 and the Judicial Commissioner from the 26th July to the end of the year are shown in the next table.

Class of Appellate Court.	Total cases disposed of.	Total appellants disposed of.	Persons whose						Remarks.
			Appeals were rejected.	Appeals were dismissed.	Sentences were reduced.	Sentences were otherwise altered.	Sentences were reversed.	Percentage of appeals rejected and dismissed to total appellants disposed of.	
Commissioner, Northern Division.	47	61	41	10	3	3	3	88·77	One person new trial ordered.
Commissioner, Central Division.	52	81	..	35	33	9	3	43·20	One person new trial ordered.
Commissioner, Southern Division.	71	115	17	60	27		8	66·95	Three persons new trial trial ordered.
Commissioner, Eastern Division.	50	64	32	14	1	2	15	71·87	
Judicial Commissioner, Upper Burma.	115	145	26	88	13	3	8	79·45	Seven persons new trial ordered.
Total ...	335	466	116	207	77	17	37	69·31	Twelve persons new trial ordered.

In the Court of Commissioners sitting as the Judicial Commissioner the percentage of non-interference was highest in the Northern division and lowest in the Central division, where I must say from records which have come before me I think that sentences were sometimes modified for very little apparent reason. The percentage of all Courts was 69·31, of the Judicial Commissioner's Court in cases since 26th July 79·45. Last year in the Court of the Judicial Commissioner of Lower Burma the percentage stood at 78·61 per cent.

SECTION VI.—REVISION AND REFERENCE.

21. *A.—References to Commissioners sitting as Judicial Commissioner under section 374, C. C. P., between the 1st January and 25th July 1890.*

Reference by whom made.	Sentences.				
	Referred for confirmation.	Confirmed.	Reduced or altered.	Reversed.	Pending
Sessions Judge, Northern Division	9	7	2	...	
Sessions Judge, Central Division ...	17	13	4		...
Sessions Judge, Eastern Division	6	4	...	2	...
Sessions Judge, Southern Division	28	28	...	...	
Total ...	60	52	6	2	...

B.—References to Judicial Commissioner under section 374, C. C. P., from the 26th July to the 31st December 1890.

Reference by whom made.	Sentences				
	Referred for confirmation.	Confirmed.	Reduced or altered.	Reversed.	Pending.
Sessions Judge, Northern Division	1	...	1	...	...
Sessions Judge, Central Division	5	3	1	...	1
Sessions Judge, Eastern Division	4	3	..	...	1
Sessions Judge, Southern Division	9	2	5	...	2
Total ...	19	8	7	...	4
GRAND TOTAL ...	79	60	13	2	4

It is satisfactory that death-sentences have decreased from 60 in the first seven months of the year to 19 in the last five. Of the sentences referred 76 per cent. were confirmed.

22. *A.—References to Commissioners sitting as Judicial Commissioner under section 438, C. C. P., between the 1st and 25th July 1890.*

Reference by whom made.	Number of cases referred.	Number of persons concerned.	Number of persons whose sentences were				Pending.		Remarks.
			Confirmed.	Enhanced.	Reduced.	Reversed.	Cases.	Persons.	
District Magistrate and Sessions Judge, Northern Division.	2	2	...	...	1	..	.	...	One new trial.
District Magistrate and Sessions Judge, Central Division.	30	38	16	3	12	7	...	...	
District Magistrate and Sessions Judge, Eastern Division.	9	18	4	1	1	5	..	...	Seven new trials.
District Magistrate and Sessions Judge, Southern Division.	11	22	2	...	1	10	...	...	
Total	52	80	22	4	15	31		...	Eight new trials.

B.—References to Judicial Commissioner under section 438, C. C. P., from the 26th July to the 31st December 1890.

Division.	Reference by whom	Number of cases referred.	Number of persons concerned.	Number of persons whose sentences were				Pending		Remarks.
				Confirmed.	Enhanced.	Reduced.	Reversed.	Cases.	Persons.	
Northern.	District Magistrate of Mandalay.	1	1	...	...	..	1	..		
	District Magistrate of Bhamo	...	...	..	...	..	...	...	...	
	District Magistrate of Katha	..	..	...		...	...	...	...	
	District Magistrate of Ruby Mines.	...	.	...	..	..			.	
	District Magistrate of Shwebo	...	.	.			...	...	...	
	Sessions Judge, Northern Division	31	73	21	2	13	34	...	..	Two new trials, one proceeding quashed
	Total ..	32	74	21	2	13	35		..	Two new trials, one proceeding quashed
Central.	District Magistrate of Ye-u ...	...	..	...	...	...	..	...	...	
	District Magistrate of Sagaing	..	...	.	.	..	...	..	...	
	District Magistrate of Lower Chindwin.		...	...	...	...				
	District Magistrate of Upper Chindwin.	..		...	...	...	.	...	.	
	Sessions Judge, Central Division.	6	16	10	...	4	2	...	..	
	Total ...	6	16	10		4	2		...	
Southern.	District Magistrate of Myingyan.	1	1		...	...	1		...	
	District Magistrate of Pakôkku	...	.	...		.	.	...	...	
	District Magistrate of Minbu	2	8	...	...	...	8	...		
	District Magistrate of Magwe	1	4	4	..	...		..		
	Sessions Judge, Southern Division.	13	116	5	1	5	105	...	..	
	Total ..	17	129	9	1	5	114	...	.	
Eastern.	District Magistrate of Kyaukse	5	6	4		1	1	...	...	
	District Magistrate of Meiktila	...	...	..	...	.	...	..	...	
	District Magistrate of Yamèthin.	...	.	..	...	...	...	...	...	
	District Magistrate of Pyinmana	1	1	1	..	..	.	...	..	
	Sessions Judge, Eastern Division.	8	17	12	...	2	2	1	1	
	Total ...	14	24	17		3	3	1	1	
	Grand Total	69	243	57	3	25	154	1	1	Two new trials, one proceeding quashed.

23. *Cases called for by the Judicial Commissioner on his own motion under section 435, C. P. C., from the 26th July to the 31st December 1890.*

Division.	Name of district.	Number of cases called for.	Number of persons concerned.	Number of persons whose sentences were: Confirmed.	Enhanced.	Reduced.	Reversed.	Pending: Cases.	Persons.	Remarks.
Northern.	Mandalay . ..	68	124	108	1	2	8	5	5	Two new trials.
	Bhamo	12	15	8	...		1	3	6	
	Katha ...	10	10	2	..	...	1	7	7	
	Ruby Mines ...	7	26	2			2	3	22	
	Shwebo	10	33	11	..		20	2	2	
	Sessions Judge, Northern Division.	...	...	...			...		...	
	Total ...	107	208	131	1	2	32	20	42	Two new trials
Central.	Ye-u	50	90	33	...	...	49	8	8	
	Sagaing	22	49	26		3	10	5	10	
	Lower Chindwin ...	21	50	47	...	..	3		...	
	Upper Chindwin	25	44	23		2	3	10	16	
	Sessions Judge, Central Division.	1	1	1	...	...		..		
	Total	119	234	130	...	5	65	23	34	
Southern.	Myingyan ...	15	26	25	...	..	1	...	...	
	Pakôkku	8	21	14	...	1	2	1	4	
	Minbu	3	5	5	...	..	...	...	...	
	Magwe	21	64	37	...	..	...	8	27	
	Sessions Judge, Southern Division.	...	...	...	...	..	...			
	Total ..	47	116	81		1	3	9	31	
Eastern.	Kyauksè .. .	21	63	15	..	1	41	3	6	
	Meiktila .. .	14	27	5			5	6	17	One new trial.
	Yamèthin . .	30	72	33	...	...		11	30	
	Pyinmana	20	34	24	..	2		5	8	
	Sessions Judge, Eastern Division.	2	4	4	...		...	...		
	Total ...	87	200	81	...	3	46	25	70	
	Grand Total	360	758	423	1	11	146	77	177	Three new trials.

The extent of interference with Magistrates' decisions was not really as great as these figures would seem to indicate. In one case referred by the Sessions Judge, Southern Division, illegal sentences under section 188, Indian Penal Code, upon 100 persons were quashed. In Kyauksè another case was brought under revision in which 38 persons had been wrongly convicted of a breach of the Fishery Act. In Ye-u a large number of orders in security cases had to be set aside for illegality.

24. The next two tables show the revision work done by Sessions Judges and District Magistrates (1) on the application of parties or Government and (2) on their own motion.

Result of applications for revision made to Sessions Judges and District Magistrates.

Class of Court whose orders were the subject of revision.	Number of persons who applied for revision, including pending from previous year.	Number of persons with respect to whom: Applications were rejected or order confirmed.	Committal was ordered under section 436, C. C. P.	Further enquiry was ordered under section 437, C. C. P.	Reference was made to High Court under section 438, or to District Magistrate under section 435, C. C. P.	Applications were pending.	Total.	Remarks.
(a) Special Magistrates, section 14, C. C. P.	...		...	...	...	...	...	
(b) Stipendiary Magistrates.	354	275	...	18	41	14	348	
(c) Honorary Magistrates including Benches.		...	...	...	...	..	...	
Total ...	354	275	...	18	41	14	348	...

25. The following table shows the revision work done by Sessions Judges and Magistrates otherwise than on applications for revision :—

Revising Court.	Number of cases called for and examined under section 435, C. C. P.	Number of cases in which committal was ordered under section 436, C. C. P.	Number of cases in which further enquiry was ordered under section 437, C. C. P.	Number of cases referred to the High Court under section 438, or to the District Magistrate under section 435, C. C. P.	Pending cases.
Sessions Court	276	...	6	36	16
District Magistrate	802	12	21	31	34
Subdivisional Magistrate specially empowered under section 435, C. C. P.	...	...	...	...	...
Total ...	1,078	12	27	67	50

26. The financial result of the rules regulating the fees chargeable for the service of processes and the remuneration of peons is shown in the following table:—

Receipts and Charges of Criminal Process Establishment.

Division.	Name of district.	Number of processes issued.	Receipts from process-fees.	Charges. Salaries of process-serving establishment.	Charges. Contingencies, &c.	Remarks.
			Rs. A. P.	Rs. A. P.	Rs. A. P.	
Northern.	Mandalay	2,859	2,359 8 0	.....	.....	
	Bhamo	156	122 8 0	251 8 0	70 0 0	
	Katha	78	63 0 0	45 0 0	.....	
	Ruby Mines	15	15 0 0	...	.....	
	Shwebo	473	235 8 0	120 0 0	.....	
	Total ...	3,581	2,795 8 0	416 8 0	70 0 0	
Central.	Ye-u . ..	20	84 8 0	344 0 0	.....	
	Saguing	514	457 8 0	420 0 0	22 0 0	
	Lower Chindwin ...	156	192 3 0	.....	.....	
	Upper Chindwin .	120	62 8 0	66 0 0	.....	
	Total ...	810	796 11 0	830 0 0	22 0 0	
South-ern.	Myingyan	527	553 8 0	.....	.....	
	Pakôkku	652	503 8 0	.....	.....	
	Minbu	1,220	684 4 0	31 0 0	.....	
	Magwe	651	463 0 0	.....	248 0 0	
	Total ...	3,050	2,204 4 0	31 0 0	248 0 0	
Eastern.	Kyauksè	148	122 8 0	.....	.....	
	Meiktila	618	565 4 0	.....	.....	
	Yamèthin	626	468 8 0	96 0 0	.....	
	Pyinmana	415	245 8 0	159 8 0	.....	
	Total ...	1,797	1,401 12 0	255 8 0	.....	

These figures are not by any means trustworthy. They are given for what they are worth. The receipts are approximately correct. There is no fixed establishment of peons. Processes are generally served by the police.

27. The subject of inspection has been dealt with in the Civil Justice Report. The registers are generally fairly well kept up; the mistakes found in them have seldom been of a serious nature. Many of the Township Officers in remote parts of districts are Upper Burmans, whose literary acquirements are slight. A few, *e.g.*, in Bhamo, are absolutely illiterate. But very little judicial work indeed falls upon them and for executive purposes they are found very useful. It would be well if they could be provided with efficient clerks acquainted with judicial forms and returns. There is a tendency amongst the subordinate magistracy to strain the law when dealing with certain classes of cases, *e.g.*, cases of gambling, of negligent dealing with fire, of disobedience of orders, and sometimes of breach of Municipal bye-laws. The fines imposed are often decidedly heavy, though usually paid. In other respects the judicial work of the magistracy compares very well with that in the lower province. In procedure a very marked improvement is noticeable.

28. The reports of criminal justice were received from the several districts of Upper Burma on the dates marginally noted. From the Eastern and Northern divisions they came in generally in very good time, but those of the Central division were all very late and, except the Lower Chindwin report, were even then very far from being what they should have been. Indeed the report sent in under Lieutenant Warde's signature, from Ye-u was almost as perfunctory and inaccurate as it could well be; and the Deputy Commissioner of Upper Chindwin submitted the bare statements and did not take the trouble to write a single word in explanation of them. On the other hand I have to notice with satisfaction the care and attention give to their reports by—

Northern Division.	Mandalay	28th February 1891
	Bhamo	17th February 1891.
	Katha	11th March 1891
	Ruby Mines	17th February 1891
	Shwebo	19th March 1891
Central Division.	Ye-u	9th April 1891
	Sagaing	3rd April 1891
	Lower Chindwin	2nd April 1891
	Upper Chindwin	11th April 1891
Southern Division.	Myingyan	18th March 1891.
	Pakôkku	3rd April 1891.
	Minbu	15th April 1891
	Magwe	18th April 1891.
Eastern Division	Kyauksè	3rd March 1891.
	Meiktila	9th February 1891.
	Yamèthin	11th February 1891
	Pyinmana	28th February 1891

Mr. H. Adamson, Deputy Commissioner, Mandalay.
Lieutenant Browning, Deputy Commissioner, Ruby Mines
Major Eyre, Deputy Commissioner, Lower Chindwin
Mr. Hartnoll, Deputy Commissioner, Minbu
Mr. Todd-Naylor, Deputy Commissioner, Magwe
Major Adamson, Deputy Commissioner, Meiktila.

G. J. S. HODGKINSON,
Judicial Commissioner, Upper Burma.

LOWER BURMA APPENDICES.

JUDICIAL STATEMENT No 1 (CRIMINAL).

Showing the number of Judicial divisions and the number of officers exercising Appellate or Original Jurisdiction in Lower Burma on the last day of the year 1890 with the cost of Tribunals.

Name of province		Area.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of districts	Number of districts	Number of sub-districts	Total number of officers exercising original or appellate jurisdiction: Judges of Chief Court of province	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of districts	Judges of districts other than Chief Courts.	Judges of other subordinate Courts	Total number of cases decided: Original. Regular.	Original. Miscellaneous	Appeals. Regular.	Appeals. Revisions.	Total receipts of the Courts.	Total charges of the Courts.	Remarks
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
		sq m														Rs. A P.	Rs A. P.	
Lower Burma — Territory subject to the High Court	Civil ..	...	...	...	...	.	...	...	...	..	...	...	.	...	...	...	...	
	Criminal ..	87,220	3,736,771	6	18	34	2	6	19	140	98	39,088	455	3,463	3,511	3,30,442 4 8	5,89,182 2 2	
	Revenue ..	...	...	...	..		..	..	..	.	...	...	..	...	...	..	.	
Lower Burma — Territory not subject to the High Court	Civil ..	...	...	...	..	..	...	...	...	...	...	.	...	...	...	.	...	
	Criminal .	..	...	..	..	.	...	...	...	..	..	...	..	...	..	..	...	
	Revenue ..	...	..	...	..	..	..	..	..	..	...		...	..	..	.	..	
	Total ..	87,220	3,736,771	6	18	34	2	6	19	140	98	39,088	455	3,463	3,511	3,30,442 4 8	5,89,182 2 2	

Grades of Judicial Officers		Europeans	Natives.
Officers exercising both original and appellate jurisdiction.	Judicial Commissioner ..	1	...
	Recorder	1	...
	Sessions Judges . .	4	..
	Additional Sessions Judge ..	1	...
	Judge of Moulmein ...	1	...
	District Magistrates ..	19	.
	Subdivisional Magistrate .	1	.
Officers exercising original jurisdiction only	Assistant Commissioners ...	11	1
	Extra Assistant Commissioners	11	22
	Myoôks	4	91
	Cantonment Magistrates ...	4	..
	Special Magistrates ...	..	2
	Honorary Magistrates ..	1	97

JUDICIAL STATEMENT No. 2 (CRIMINAL).

Showing the number of offences reported and of persons tried, convicted, and acquitted of each class of offence in Lower Burma for the year 1890.

Description of offence	Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year	Number of persons: Under trial during the year including persons from previous year.	Number of persons: Acquitted or discharged.	Number of persons: Convicted.	Number of persons: Died, escaped, or transferred to another province.	Number of persons: Remaining under trial.	Remarks.
1	2	3	4	5	6	7	8	9	10
Offence of abetment, Chapter V	1	1	1	5	3	2	...	...	
Offences against the State, Chapter VI of the Indian Penal Code	5	5	6	47	11	35	...	1	
Offences relating to the Army and Navy, Chapter VII	...	...	...	...	...	...	...	...	
Offences against the public tranquillity, Chapter VIII	353	349	368	2,090	710	1,235	11	74	
Offences by, or relating to, public servants, Chapter IX	135	130	129	206	108	90	3	5	
Contempts of the lawful authority of public servants, Chapter X	172	168	184	364	109	248	4	3	
False evidence and offences against public justice, Chapter XI	587	560	589	801	330	423	6	42	
Offences relating to coin and Government stamps, Chapter XII	41	40	47	58	26	32	...	...	
Offences relating to weights and measures, Chapter XIII	17	17	14	32	23	9	...	...	
Offences affecting the public health, safety, convenience, decency, and morals, Chapter XIV	1,905	1,858	1,742	3,105	772	2,306	5	22	
Offences relating to religion, Chapter XV	81	76	42	146	114	29	...	3	
Offences affecting the human body, Chapter XVI. — Offences affecting life	240	228	213	2,812	133	113	5	30	
Offences affecting the human body, Chapter XVI. — Cause of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births.	7	7	6	12	10	2	...	...	
Offences affecting the human body, Chapter XVI. — Hurt	2,534	2,453	2,177	3,693	2,077	1,486	19	111	
Offences affecting the human body, Chapter XVI. — Wrongful restraint and wrongful confinement	128	114	121	233	151	79	...	3	
Offences affecting the human body, Chapter XVI. — Criminal force and assault	3,772	3,459	3,321	5,486	3,497	1,880	4	105	
Offences affecting the human body, Chapter XVI. — Kidnapping, forcible abduction, slavery, and forced labour	168	140	121	177	114	59	...	4	
Offences affecting the human body, Chapter XVI. — Rape	178	129	82	89	52	32	...	5	
Offences affecting the human body, Chapter XVI. — Unnatural offence	13	10	13	20	18	...	...	2	
Offences against property, Chapter XVII. — Theft	10,973	10,252	6,598	8,768	3,113	5,496	17	141	
Offences against property, Chapter XVII. — Extortion	100	92	108	216	130	73	1	12	
Offences against property, Chapter XVII. — Robbery and dacoity	537	490	541	1,200	597	554	12	37	
Offences against property, Chapter XVII. — Criminal misappropriation of property	193	162	179	246	129	108	4	5	
Offences against property, Chapter XVII. — Criminal breach of trust	349	308	296	354	207	112	1	34	
Offences against property, Chapter XVII. — Receiving of stolen property	370	360	301	479	184	288	3	4	
Offences against property, Chapter XVII. — Cheating	261	241	248	346	188	119	7	32	
Offences against property, Chapter XVII. — Fraudulent deeds and disposition of property	17	16	18	28	25	3	...	...	
Offences against property, Chapter XVII. — Mischief	783	736	605	1,018	685	297	1	35	
Offences against property, Chapter XVII. — Criminal trespass	1,962	1,855	1,442	2,251	1,353	827	4	67	
Offences relating to documents and to trade or property-marks, Chapter XVIII	39	39	42	45	26	19	...		
Criminal breach of contracts of service, Chapter XIX	20	19	19	39	25	12		2	
Offences relating to marriage, Chapter XX	245	213	222	261	211	32	2	16	
Defamation, Chapter XXI	134	113	111	158	122	31	1	4	
Criminal intimidation, insult, and annoyance, Chapter XXII	2,127	1,903	1,909	2,683	1,855	780	3	45	
Offences under special and local laws	17,044	16,695	16,963	27,744	7,454	19,668	85	537	
Total	45,500	43,257	38,778	62,621	24,562	36,479	196	1,382	

JUDICIAL STATEMENT No. 2A (CRIMINAL).

Showing the general result of the trial of European British subjects in Lower Burma for the year 1890.

Description of offence.	Number of persons accused and brought before a Magistrate — Within the year.								Persons whose cases were disposed of — By District Magistrates and other 1st class Magistrates.							By Courts of Sessions.					By High Court.			Total for all Courts.				Number of cases					Subsidiary table.					
	Remaining at the close of the previous year.	On complaint, section 191 (a), Criminal Procedure Code.	On police report, section 191 (b) of the Code.	By Magistrate *suo motu*, section 191 (c) of the Code.	On transfer from another province.	Total.	Died, escaped, or transferred to other provinces.	Number actually brought to trial.	Received by transfer under section 451B of the Code.	Convicted.	Acquitted or discharged.	Committed — To Court of Sessions.	Committed — To High Court.	Transferred by order under section 451B of the Code.	Total, omitting entries in columns 10 and 15.	Received by transfer under section 451B of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under section 449 of the Code.	Total, exclusive of column 17.	Convicted.	Acquitted.	Total.	Convicted.	Acquitted or discharged.	Total.	Number of persons under trial at the close of the year.	Brought to trial.	Disposed of.	Pending.	Number of persons who applied to the High Court for an order under section 456 of the Code.	Of those entered in column 4, number who applied under section 9, Act III of 1884, for transfer or commital of their cases.	Number of persons who applied to the High Court under section 526 of the Code for the transfer of their cases.	Of the total number of persons shown in — Column 16. Number who claimed to be tried by a mixed jury, section 451A (1) of the Code.	Number who did not so claim.	Number of those in column 36 (1) whose cases were transferred under section 451B of the Code.	Column 21. Number who claimed a mixed number of assessors, section 451 (2) of the Code.	Number who did not so claim.	Columns 21 and 24. Number who claimed to be tried by a mixed jury, section 451 (1) of the Code.	Number who did not so claim.	Of cases shown in column 30 — Disposed of by Magistrates. Being European British subjects.	Other than European British subjects.	Disposed of by Sessions Judges. Being European British subjects.	Other than European British subjects.
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35						36			
																																		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Offences against the State, Chapter VI of the Indian Penal Code	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences relating to the Army and Navy, Chapter VII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences against the public tranquillity, Chapter VIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences by, or relating to, public servants, Chapter IX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Contempts of the lawful authority of public servants, Chapter X	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
False evidence and offences against public justice, Chapter XI	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences relating to coin and Government stamps, Chapter XII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences relating to weights and measures, Chapter XIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences affecting the public health, safety, convenience, decency, and morals, Chapter XIV	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences relating to religion, Chapter XV	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences affecting the human body, Chapter XVI. — Offences affecting life	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Causing of miscarriage, injuries to unborn children, exposure of infants and the concealment of births	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Hurt	...	5	...	...	...	5	...	5	...	2	2	...	1	...	5	...	...	...	...	...	...	1	1	2	3	5	...	...	5	...	...	...	...										
Wrongful restraint and wrongful confinement	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Criminal force and assault	...	5	...	...	...	5	...	5	...	1	4	...	...	...	5	...	...	...	...	...	...	...	...	1	4	5	...	5	5	...	...	...	...										
Kidnapping, forcible abduction, slavery, and forced labour	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Rape	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Unnatural offence	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences against property, Chapter XVII. — Theft	...	...	4	...	...	4	...	4	...	1	1	...	2	...	4	...	...	...	...	...	...	2	2	1	3	4	...	3	3	...	...	...	...	...	195	...	...	...	...	...	9	122	7	...
Extortion	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Robbery and dacoity	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Criminal misappropriation of property	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Criminal breach of trust	...	1	...	...	...	1	...	1	...	...	...	...	1	...	1	...	...	...	...	...	...	1	1	...	1	1	...	1	1	...	...	...	...										
Receiving of stolen property	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Cheating	...	3	...	...	...	3	...	3	...	...	1	1	1	...	3	...	1	...	...	1	1	...	1	2	1	3	...	3	3	...	...	...	...										
Fraudulent deeds and disposition of property	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Mischief	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Criminal trespass	...	2	...	...	...	2	...	2	...	...	2	...	...	...	2	...	...	...	...	...	...	...	...	...	2	2	...	2	2	...	...	...	...										
Offences relating to documents and to trade or property-marks, Chapter XVIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Criminal breach of contracts of service, Chapter XIX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences relating to marriage, Chapter XX	...	1	...	...	...	1	...	1	...	...	...	...	1	...	1	...	...	...	...	...	...	1	1	...	1	1	...	1	1	...	...	...	...										
Defamation, Chapter XXI	...	1	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	1	...	1	...	...	...										
Criminal intimidation, insult, and annoyance, Chapter XXII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...										
Offences under special and local laws	...	144	32	1	...	177	...	174	...	122	52	...	...	...	174	...	...	...	...	...	...	...	...	122	52	174	3	121	118	3	...	...	...										
Total	...	162	36	1	...	199	...	196	...	126	62	1	6	...	195	...	1	...	...	1	1	5	6	128	67	195	4	142	138	4	...	...	...										

JUDICIAL STATEMENT No. 3 (CRIMINAL)

Showing miscellaneous proceedings under the Criminal Procedure Code in Lower Burma for the year 1890.

Nature of proceedings	Total number of cases before the Courts during the year	Number of persons concerned	Number of persons discharged.	Number of persons convicted.	Remarks.
1	2	3	4	5	6
1.—Frivolous or vexatious complaints summarily dealt with under Chapter XX, section 250.	29	33	18	15	
2.—Proceedings against witnesses under Chapter VI		3	1	2	
3.—Forfeiture of bail or recognisance under Chapters XXXIX and XLII	110	198	84	110	Four pending.
4.—Non-attendance of jurors or assessors, Chapter XXIII, section 332	13	20	6	14	
5.—Contempts of Court under Chapter XXXV	...	...	...	..	
6.—Proceedings under Chapter VIII to prevent breach of the peace	55	82	18	64	
7.—Security for good behaviour under Chapter VIII	2,703	2,816	692	2,042	Twenty-nine escaped, 13 referred, 2 died, and 38 pending.
8.—Proceedings against local nuisances, Chapters X and XI	39	73	49	22	Two escaped.
9.—Possession, Chapters XII and XLIII	11	16	11	5	
10.—Maintenance, Chapter XXXVI	340	343	176	162	Five pending.
Total ...	3,303	3,584	1,055	2,436	Thirty-one escaped, 13 referred, 2 died, and 47 pending

JUDICIAL STATEMENT NO. 4 (CRIMINAL).

Showing the general result of criminal trials in the tribunals of various classes in Lower Burma for the year 1890.

Class of tribunal.	Total number of persons under trial.	Persons whose cases were disposed of.					Persons remaining under trial at the end of the year.	Number of cases disposed of during the year.	Average number of days during which each case lasted.	Number of witnesses examined.	Remarks.
		Died, escaped, or transferred to another province.	Discharged or acquitted.	Convicted: On regular trial.	Convicted: On summary trial.	Committed or referred.					
1	2	3	4	5	6	7	8	9	10	11	12
Village Officers	...	...	...	...	...	...	...	...	...	...	
Subordinate Magistrates ... Special Magistrates under section 14 ...	198	...	90	100	...	...	8	121	8·	270	
Subordinate Magistrates ... Honorary Magistrates sitting singly ...	6,292	...	2,145	34	4,107	...	6	4,053	1·35	4,923	
Subordinate Magistrates ... Stipendiary Magistrates sitting singly ...	45,928	172	18,391	20,774	3,967	1,458	1,146	26,896	6·78	96,802	
Subordinate Magistrates ... Benches of Magistrates	5,141	2	1,554	82	3,439	...	64	3,460	4·	5,839	
District and Divisiona Magistrates' cases referred under section 349, Criminal Procedure Code.	3,090	1	1,097	1,580	148	193	71	2,084	7·	...	
Chief Magistrates of districts	2,944	22	967	1,157	331	425	42	1,759	10·60	9,372	
Courts of Sessions	1,225	1	345	774	...	61	44	658	30·48	3,910	
Superior Courts	69	...	10	57	...	...	2	57	28·12	65	
Total ...	64,887	198	24,599	24,558	12,012	2,137	1,383	39,088	6·59	121,161	

JUDICIAL STATEMENT NO. 5 (CRIMINAL).

Showing the punishments inflicted by the various criminal tribunals in Lower Burma for the year 1890.

Class of tribunal.	Persons sentenced to: Death.	Transportation.	Penal servitude.	Imprisonment: Rigorous.	Imprisonment: Simple.	Forfeiture of property.	Fine.	Whipping.	Persons ordered to find or give security or recognizance to keep the peace or sureties for good behaviour.	Persons imprisoned in default of security for good behaviour	Detail of punishment. Fine: Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed during the year.	Total amount of fines realised during the year.	Amount paid by way of compensation.	Imprisonment: Fifteen days and under.	Six months and under.	Two years and under.	Seven years and under.	Above seven years.	Whipped: Ten stripes and under.	Twenty stripes and under.	Thirty stripes and under.	Number of boys whose sentences were commuted to detention in a reformatory school.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
																	Rs. A. P.	Rs. A. P.	Rs. A. P.									
Village Officers	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.	...	...	...	...	...	...	...	...	...
Subordinate Magistrates. Special Magistrates under section 14.	...	...	...	1	1	...	91	7	...	...	67	23	1	...	...	...	584 0 0	859 0 0	10 0 0	...	2	A.	...	...	6	1	...	...
Subordinate Magistrates. Honorary Magistrates sitting singly.	...	...	...	3	...	...	4,139	...	...	...	4,013	126	...	...	...	...	12,402 0 4	11,568 0 4	166 0 0	2	1	...	...	...	...	...	...	...
Subordinate Magistrates. Stipendiary Magistrates sitting singly	...	...	...	5,141	109	19	16,380	2,210	1,632	995	9,853	5,790	562	147	1	1	2,81,779 13 1	2,37,527 11 0	25,001 7 10	497	3,426	2,356	26	...	321	1,161	728	13
Subordinate Magistrates. Benches of Magistrates.	...	...	...	34	3	...	3,463	26	...	...	3,306	157	...	...	...	..	12,698 9 4	11,552 13 4	1,950 0 0	17	20	...	..	..	10	10	6	...
District and Divisional Magistrates' cases referred under section 349, Criminal Procedure Code.	...	...	...	713	4	...	673	292	237	197	397	229	27	20	...	...	15,924 5 0	9,460 1 9	1,216 4 0	18	464	387	45	...	61	139	92	...
Chief Magistrates of districts	.	..	...	645	42	...	550	168	243	195	323	154	50	22	1	...	21,676 0 3	17,257 0 1	1,288 3 9	68	359	249	206	...	27	66	55	...
Courts of Sessions ...	3	367	.	388	...	2	13	11	11	11	...	6	7	..	...	...	970 0 0	164 13 3	.....	...	6	32	350	11	...	1	10	...
Superior Courts	29	27	...	1	...	..	...	...	...	...	...	...	...	...	...	...	.....	.....	.....	...	...	..	1	...	...	...	..	...
Total ...	32	394	...	6,926	219	21	25,300	2,714	2,123	1,398	17,959	6,491	667	189	2	1	3,45,734 12 0	2,88,369 7 9	29,631 15 7	602	4,278	3,024	628	11	425	1,398	891	13

JUDICIAL STATEMENT No. 5A (CRIMINAL).

PART I.

Showing the whippings inflicted under sections 2 and 3, Act VI of 1864, in lieu of other punishments in Lower Burma for the year 1890.

Offences for which awarded.		Number of stripes awarded.												Total.	Remarks.
		5 and under.		6 to 10.		11 to 15.		16 to 20		21 to 25.		26 to 30.			
		First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.		
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15
In lieu of other punishments (sections 2 and 3, Act VI of 1864)—															
1—Theft, as defined in	section 378, I. P. C.	2	...	55	...	100	2	100	3	25	2	57	12	358	
	section 379, do.	7	...	61	4	83	17	115	11	37	6	55	6	402	
	section 380, do.	15	3	179	11	317	29	340	10	131	17	254	12	1,320	
	section 381, do.	3	...	22	2	22		30	...	10	2	35	2	128	
	section 382, do.	...	...	6	2	4	...	5	3	2	1	2	...	25	
2—Extortion, as defined in	section 388, do.	...	...	..	...	...	...	...	...	...	...	...	...	...	
	section 389 do.	...	...	1	...	..	...	2	...	...	...	1	...	4	
3.—Dishonestly receiving stolen property, as defined in	section 411, do.	...	1	2	...	15	...	15	4	10	...	8	1	56	
	section 412, do.	...	...	1	...	...	...	...	...	...	...	...	...	1	
4.—Lurking house-trespass, as defined in	section 443, do.	...	...	...	...	..	...	1	...	...	...	...	...	1	
5.—Lurking house-trespass by night, as defined in	section 444, do.	...	...	...	...	1	..	1	...	1	...	1	...	4	
6.—House-breaking, as defined in	section 445, do.	...	...	...	...	...	...	...	...	...	...	2	...	2	
7.—House-breaking by night, as defined in	section 446, do.	...	...	...	...	...	...	...	...	...	...	2	1	3	
8.—Offences under	section 14, Act III, 1860.	...	...	...	...		...	...	...	...	...	...	...	...	
section 326,	I.P.C.	...	...	...	...	1	...	...	...	...	...	...	...	1	
section 354,	do.	...	...	1	...	1	..	...	...	...	...	...	...	2	
section 456,	do.	...	...	...	...	...	1	1	1	...	...	...	...	3	
section, 457,	do.	...	...	...	...	1	..	3	1	6	..	3	2	16	
section 225,	do.	...	...	...	...	...	...	...	...	.	...	1	...	1	
Total	...	27	4	328	19	545	19	622	42	222	28	421	36	2,343	

PART II.

Showing the whippings inflicted in addition to other punishments, sections 3 and 4, Act VI of 1864, in Lower Burma for the year 1890.

Offences for which awarded.		Number of stripes.						Total.	Remarks.
		5 and under	6 to 10.	11 to 15.	16 to 20.	21 to 25.	26 to 30		
1		2	3	4	5	6	7	8	9
In addition to other punishments (sections 3 and 4)—									
A.—Section 3.									
1.—Theft, as defined in	section 378, I. P. C. ...	...	2	2	10	3	20	46	
	section 379, do. ...	...	1	1	8	6	13	29	
	section 380, do. ...	...	4	13	38	23	71	149	
	section 381, do. ...	...		1	2	3	10	16	
	section 382, do. ...	...	...	...	...	...	...	...	
2.—Extortion, as define in	section 388, do. .	...	...	...	...	...	1	1	
	section 389, do ..	...	...	...	..	..	...	...	
	Carried over ..	...	7	17	58	35	121	241	

PART II—concluded.

Showing the whippings inflicted in addition to other punishments, sections 3 and 4, Act VI of 1864, in Lower Burma for the year 1890—concluded.

Offences for which awarded.	Number of stripes. 5 and under	6 to 10.	11 to 15.	16 to 20.	21 to 25.	26 to 30.	Total.	Remarks.
1	2	3	4	5	6	7	8	9
Brought forward ...	...	7	17	58	35	124	241	
1.—Dishonestly receiving stolen property, as defined in section 411, do. ...	...	...	...	3	...	3	6	
1.—Dishonestly receiving stolen property, as defined in section 412, do. ...	...	...	...	...	...	...	...	
4.—Lurking house-trespass, as defined in section 443, do. ...	...	...	...	...	..	...	...	
5.—Lurking house-trespass by night, as defined in section 444, do. ...	...	...	...	...	...	...	...	
6.—Housebreaking, as defined in ... section 445, do. ...	...	...	...	21	...	...	21	
7.—Housebreaking by night, as defined in section 446, do. ...	...	...	...	1	...	1	2	
8.—Offence under ... ... section 14, Act III, 1880 ...	...	...	...	...	...	...	...	
B.—Section 4.								
1.—False evidence, as defined in ... section 193, I. P. C. ...	...	...	...	...	...	...	...	
1.—False evidence, as defined in ... section 194, do. ...	...	...	...	...	...	...	...	
1.—False evidence, as defined in ... section 195, do. ...	...	...	...	...	...	...	...	
2.—False charge of unnatural offence, as defined in section 211, do., and section 377, do.	...	..	...	...	...	...	..	
3.—Assault, as defined in ... ... section 354, do. ...	...	...	1	...	...	...	1	
4.—Rape, as defined in ... ... section 375, do. ...	...	...	...	...	...	...	...	
5.—Unnatural offence, as defined in ... section 377, do. ...	...	...	...	...	...	...	...	
6.—Robbery, as defined in ... ... section 390, do. ...	...	...	...	1	...	...	1	
7.—Dacoity, as defined in ... ... section 391, do. ..	..	...	...	...	...	...	...	
8.—Attempt at robbery, as defined in ... section 393, do. ...	...	...	...	...	...	...	...	
9.—Hurt in committing robbery, as defined in section 394, do. ...	...	...	...	...	...	...	...	
10.—Receiving stolen property, as defined in section 413, do. ...	...	...	...	...	...	.	..	
11.—Forgery, as defined in ... section 463, do. ...	...	...	...	...	...	...	...	
11.—Forgery, as defined in ... section 466 do. ...	...	...	...	...	...	...	...	
11.—Forgery, as defined in ... section 467, do. ...	...	.	...	...	...	...	...	
11.—Forgery, as defined in ... section 468, do ...	...	...	...	...	...	...	...	
11.—Forgery, as defined in ... section 469, do. ...	...	...	...	...	.	...	...	
12.—Lurking house-trespass, as defined in section 443, do. .	...	...	...	...	...	...	...	
13.—Lurking house-trespass by night, as defined in section 444, do. ...	...	...	...	...	...	...	...	
14.—Housebreaking as defined in ... section 445, do. ...	...	...	...	...	...	...	...	
15.—Housebreaking by night, as defined in section 446, do. ...	...	...	...	...	...	5	5	
Total ...	...	7	18	84	35	133	277	

PART III.

Statement showing the whippings inflicted under section 5, Act VI of 1864, on Juveniles for offences other than those specified in Parts I and II in Lower Burma for the year 1890.

Offence	Stripes.												Total.	Remarks
	5 and under		6 to 10.		11 to 15.		16 to 20.		21 to 25.		26 to 30.			
	First conviction	Subsequent conviction	First conviction.	Subsequent conviction.	First conviction	Subsequent conviction.	First conviction.	Subsequent conviction	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Section 160, I. P. C. ...	1	...	2	...	...	...	...	...	...	...	...	...	3	
Do. 323, do.	1	...	8	1	3	1	2		2	...	2	...	20	
Do 324, do.	...	...	2	...	4	...	1	...	...	...	1	...	8	
Do. 325, do.	...	...	1	...	...	1	1	1	...	...	...	...	4	
Do. 354, do.	...	...	...	...	...	...	1	...	...	...	...	...	1	
Do. 363, do.	...	...	...	...	1	...	...	...	...	...	...	...	1	
Do. 376, do.	...	...	...	...	1	...	...	1	.	...	1	...	3	
Do 379, do.	...	...	16	...	2	...	10	...	3	2	5	...	38	
Do 380, do.	...	...	1	...	1	...	..	...	...	...		...	2	
Do. 392, do.	...	...	...	...	...	...	...	1	..	...	...	...	1	
Do. 395, do.	...	...	...	...	1	...	...	...	...	...	...	...	1	
Do. 396, do.	...	...	...	...	...	1	...	...	...	...	...	...	1	
Do 414, do.	...	...	...	...	...	...	1	...	...	...	...	...	1	
Do. 417, do.	...	...	...	...	...	...	1	...	...	...	...	...	1	
Do 426, do.	...	...	4	...	...	...	...	..	...	...	...	...	4	
Do. 429, do.	...	...	...	...	1	...	...	...	...	...	...	...	1	
Do 448, do.	...	...	1	..	...	...	...	...	...	...	...	...	1	
Do. 451, do.		...	...	...	...	...	1	...	...	...	...	...	1	
Section 4, Gambling Act ...	...	..	2	...	...	..	...	...	...	...	...	...	2	
Total ...	2	..	37	1	14	3	18	3	5	2	9	...	94	

PART IV.

Statement showing relative number of times whipping was awarded as compared with other punishments in Lower Burma for the year 1890.

Punishments	Number.	Remarks.
1	2	3
Total number of whippings awarded	2,714	
Total number of other punishments	33,765	
Total ...	36,479	
Percentage of whippings ...	7 44	

JUDICIAL STATEMENT NO. 6 (CRIMINAL).

Showing the result of appeal and revision in Criminal Cases in Lower Burma for the year 1891.

Class of tribunal	Number of persons: Total number of appellants and applicants for revision before the Courts	Died, escaped, or transferred to another province	Appeals or applications rejected	Sentence or order confirmed	Sentence enhanced	Sentence reduced or otherwise altered	Sentence reversed	Proceedings quashed	New trial or further enquiry ordered	Referred for revision to the High Court	Pending trial	Average number of days during which each appeal lasted	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appeals to—													
Chief Magistrates of districts	834	..	146	350	...	154	172	3	5	...	4	6·89	
Courts of Sessions	2,648	...	1,892	405	...	290	203	..	40	...	88	15	
Superior Courts { by persons convicted	776	...	546*	.	...	72	100	..	4	...	54	22·	* Includes confirmations
Superior Courts { by Government from judgments of acquittal	...	.	.	...	...	...	...	.	...	.	...	..	
Total .	4,258		2,384	755	.	446	475	3	49	.	146	14 59	
Revision by—													
Chief Magistrates of districts	4,446	3	564	3,598	.	..	3	.	32	151	95	21 87	
Courts of Sessions	974	.	315	457	..	1	7		12	97	85	36 50	
Superior Courts	859	..	29	413	9	61	153	92	21		81	50	
Total ..	6,279	3	908	4,468	9	62	163	92	65	248	261	28·28	
GRAND TOTAL ...	10,537	3	3,293	5,223	9	508	638	95	114	248	407	22 72	

JUDICIAL STATEMENT No. 13 (CRIMINAL).

Statement showing use of Jurors and Assessors in the Criminal Courts in Lower Burma for the year 1890.

Classes of Courts in which jurors or assessors are employed distinguishing Criminal from Civil Courts		Established or average number of jury or assessors in each case, and prescribed qualifications.	Number of cases tried by jury.	Number of cases tried with assessors	Cases in which the Judge approved of the verdict.	Jury trials: Cases in which the Judge did not approve of the verdict: Wholly	Jury trials: Cases in which the Judge did not approve of the verdict: Partially	Jury trials: Number of persons of the verdict in respect to whom the Judge disapproved: Whose cases he referred under section 307, C. P. Code	Jury trials: Number of persons of the verdict in respect to whom the Judge disapproved: Whose cases he did not refer under section 307, C. P. Code	Number of cases in which Judge agreed with assessors	Assessors' trials: Number of cases in which Judge differed from: One assessor.	Assessors' trials: Number of cases in which Judge differed from: Both assessors	Remarks
1		2	3	4	5	6	7	8	9	10	11	12	13
I.—Civil Courts.													
Chief Courts of districts (or officer specially empowered) acting under Act X of 1870	Assessors	...	...	...	...	...	...	...	..	...	...		
II.—Criminal Courts.													
Magistrates' Courts under Chapter X, C P Code.	Jurors ...	..	..	...	...	...	..	...	...	...	...	...	
Courts of Session	Jurors .	10	58	...	58	...	..	...	...	...	...	...	
	Assessors	2	.	344	.	.	...	...	...	204	27	113	
High Court, Original Criminal Jurisdiction.	Jurors ...	9	7	.	7		...	...	..	...	..	...	
Total ..		.	65	344	65	.	...	...		204	27	113	

G. B. C. P. O.—No. 887, B. S., 3-9-91—480.

UPPER BURMA APPENDICES.

JUDICIAL STATEMENT NO. 1 (CRIMINAL).

Showing the number of Judicial Divisions and the Number of Officers exercising Appellate or Original Criminal Jurisdiction in Upper Burma on the last day of the year 1890, with the cost of Tribunals.

Name of province.		Area in square miles.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	Total number of officers exercising original or appellate jurisdiction. Judges of Chief Court of provinces.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of districts.	Judges of districts other than Chief Courts.	Judges of other subordinate Courts.	Total number of cases decided. Original. Regular.	Original. Miscellaneous.	Appeals. Regular.	Appeals. Miscellaneous.	Total receipts of the Courts.	Total charges of the Courts.	Remarks.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
																Rs. A. P.	Rs. A. P.	
Upper Burma. Territory subject to the High Court.	Civil ...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	
	Criminal ...	77,296	105,844	4	17	48	1	4	17	43	102	12,653	330	846	1,257	1,55,833 4 1	4,52,118 11 6	
	Revenue ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Territory not subject to the High Court.	Civil ...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	..	...	
	Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Revenue ...	...	...	.	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Total ...	77,296	105,844	4	17	48	1	4	17	43	102	12,653	330	846	1,257	1,55,833 4 1	4,52,118 11 6	

Grades of Judicial Officers.	European.	Native.
Officers exercising both Original and Appellate Jurisdiction.		
Judicial Commissioner	1	...
Sessions Judges	4	...
District Magistrates	17	...
Officers exercising Original Jurisdiction only.		
Assistant Commissioners	15	...
Extra Assistant Commissioners ...	11	3
Myoôks	17	99
Special Magistrates section, 14, C. P. C. ...	14	...

JUDICIAL STATEMENT NO. 2 (CRIMINAL).

Showing the number of offences reported and of persons tried, convicted, and acquitted of each class of offence in Upper Burma, for the year 1890.

Description of offence		Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year.	Number of persons. Under trial during the year including pending from previous year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred to another province.	Remaining under trial.	Remarks.
1		2	3	4	5	6	7	8	9	10
Offence of abetment, Chapter V		...	...	...	...	...	...	...	...	
Offences against the State, Chapter VI of the Indian Penal Code		33	26	32	44	29	14	1	...	
Offences relating to the Army and Navy, Chapter VII		...	...	...	...	...	...	...	...	
Offences against the public tranquillity, Chapter VIII		79	79	74	325	93	232	...	...	
Offences by or relating to public servants, Chapter IX		124	118	131	183	82	90	2	9	
Contempt of the lawful authority of public servants, Chapter X		184	184	191	459	116	319	4	20	
False evidence and offences against public justice, Chapter XI		311	301	325	466	139	297	8	22	
Offences relating to coin and Government stamps, Chapter XII		6	6	6	9	4	2	...	3	
Offences relating to weights and measures, Chapter XIII		10	9	10	120	8	109	3	...	
Offences affecting public health, safety, convenience, decency, and morals, Chapter XIV		414	391	336	690	151	535	...	4	
Offences relating to religion, Chapter XV		18	16	16	53	14	39	...	...	
Offences affecting the human body, Chapter XVI.	Offences affecting life	131	122	135	122	57	59	...	6	
	Cause of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births.	4	8	3	3	1	2	...	...	
	Hurt	524	498	469	794	432	332	17	13	
	Wrongful restraint and wrongful confinement	76	74	65	104	61	37	1	5	
	Criminal force and assault	952	883	862	1,482	908	545	2	27	
	Kidnapping, forcible abduction, slavery, and forced labour	35	31	29	42	31	11	...	...	
	Rape	87	64	70	60	36	23	...	1	
	Unnatural offence	10	10	15	13	7	6	...	...	
Offences against property, Chapter XVII.	Theft	4,187	3,965	1,861	2,537	731	1,750	32	24	
	Extortion	103	84	105	155	66	80	3	6	
	Robbery and dacoity	616	516	498	792	260	500	4	28	
	Criminal misappropriation of property	108	99	99	142	45	89	6	2	
	Criminal breach of trust	204	182	184	218	96	110	4	8	
	Receiving of stolen property	276	260	279	516	187	307	3	19	
	Cheating	116	102	104	131	76	50	1	4	
	Fraudulent deeds and disposition of property	20	20	19	48	38	10	...	...	
	Mischief	279	276	277	532	342	177	2	11	
	Criminal trespass	643	618	532	928	605	315	3	5	
Offences relating to documents and to trade or property-marks, Chapter XVIII		21	20	26	27	11	14	1	1	
Criminal breach of contracts of service, Chapter XIX		11	11	10	19	3	13	2	1	
Offences relating to marriage, Chapter XX		67	60	67	95	64	26	...	5	
Defamation, Chapter XXI		53	49	50	74	56	16	...	2	
Criminal intimidation, insult, and annoyance, Chapter XXII		340	317	323	429	290	135	...	4	
Attempt to commit hurt, Chapter XXIII		...	...	...	...	...	...	...	...	
Offences under special and local laws		5,631	5,526	5,538	9,278	2,039	7,165	24	50	
	Total	15,682	14,924	12,741	20,890	7,078	13,409	123	280	

ANNUAL JUDICIAL STATEMENT No. 2A (CRIMINAL).

Statement showing the General Result of the Trial of European British subjects in Upper Burma for the year 1890.

Description of offence.	Number of persons accused and brought before a Magistrate. Remaining at the close of the previous year.	Within the year. On complaint, section 191 (a), Criminal Procedure Code.	On police report, section 191 (b) of the Code.	By Magistrate *suo motu*, section 191 (c).	On transfer from another province.	Total.	Died, escaped, or transferred to other provinces.	Number actually brought to trial.	Persons whose cases were disposed of. By District Magistrates and other 1st class Magistrates. Received by transfer under section 451B of the Code.	Convicted.	Acquitted or discharged.	Committed. To Court of Session.	To High Court.	Transferred by order under section 451B of the Code.	Total, omitting entries in columns 10 and 15.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Offences against the State, Chapter VI of the Indian Penal Code	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to the Army and Navy, Chapter VII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against the public tranquillity, Chapter VIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences by or relating to public servants, Chapter IX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Contempt of the lawful authority of public servants, Chapter X	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
False evidence and offences against public justice, Chapter XI	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to coin and Government stamps, Chapter XII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to weights and measures, Chapter XIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the public health, safety, convenience, decency, and morals, Chapter XIV	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to religion, Chapter XV	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Offences affecting life	...	...	...	1	...	1	...	1	...	1	...	...	...	...	1
Offences affecting the human body, Chapter XVI. — Causing of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Hurt	...	13	...	...	...	13	...	13	..	8	5	...	...	...	13
Offences against property, Chapter XVII. — Wrongful restraint and wrongful confinement	...	3	...	...	...	3	...	3	...	...	3	...	...	...	3
Offences against property, Chapter XVII. — Criminal force and assault	...	5	...	...	...	5	...	5	...	...	5	...	...	...	5
Offences against property, Chapter XVII. — Kidnapping, forcible abduction, slavery, and forced labour	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Rape	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Unnatural offence	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Theft	...	1	10	...	...	11	1	10	...	5	5	...	...	...	10
Offences against property, Chapter XVII. — Extortion	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Robbery and dacoity	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal misappropriation of property	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Ciminal breach of trust	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Receiving of stolen property	1	...	...	...	...	1	...	1	...	...	1	...	...	...	1
Offences against property, Chapter XVII. — Cheating	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Fraudulent deeds and disposition of property	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Mischief	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1
Offences against property, Chapter XVII. — Criminal trespass	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1
Offences relating to documents and to trade or property-marks, Chapter XVIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Criminal breach of contracts of service, Chapter XIX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to marriage, Chapter XX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Defamation, Chapter XXI	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1
Criminal intimidation, insult, and annoyance, Chapter XXII	...	2	...	...	...	2	...	2	...	1	1	...	...	...	2
Offences under special and local laws	...	...	4	1	...	5	...	5	...	5	..	...	...	...	5
Total	1	27	14	2	...	44	1	43	...	20	23	...	...	...	43

Description of offence.	Persons whose cases were disposed of. By Courts of Session. Received by transfer under section 451B of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under section 449 of the Code.	Total, exclusive of column 17.	By High Court. Convicted.	Acquitted.	Total.	Total for all Courts. Convicted.	Acquitted or discharged.	Total.	Number of persons under trial at the close of the year.	Number of cases. Brought to trial.	Disposed of.	Pending.	Number of persons who applied to the High Court for an order under section 458 of the Code.	Of those entered in column 5, number who applied under section 9, Act III of 1884, for transfer or committal of their cases.	Number of persons who applied to the High Court under section 526 of the Code for the transfer of their cases.
1	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34
Offences against the State, Chapter VI of the Indian Penal Code	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to the Army and Navy, Chapter VII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against the public tranquillity, Chapter VIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences by or relating to public servants, Chapter IX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Contempt of the lawful authority of public servants, Chapter X	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
False evidence and offences against public justice, Chapter XI	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to coin and Government stamps, Chapter XII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to weights and measures, Chapter XIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the public health, safety, convenience, decency, and morals, Chapter XIV	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to religion, Chapter XV	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Offences affecting life	...	...	...	...	...	...	...	...	1	...	1	...	1	1	...	...	...	...
Offences affecting the human body, Chapter XVI. — Causing of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Hurt	...	...	...	...	...	...	...	...	8	5	13	...	13	13	...	...	...	...
Offences against property, Chapter XVII. — Wrongful restraint and wrongful confinement	...	...	...	...	...	...	...	...	...	3	3	...	1	1	...	...	...	...
Offences against property, Chapter XVII. — Criminal force and assault	...	...	...	...	...	...	...	...	...	5	5	...	4	4	...	...	...	...
Offences against property, Chapter XVII. — Kidnapping, forcible abduction, slavery, and forced labour	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Rape	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Unnatural offence	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Theft	...	...	...	...	...	...	...	...	5	5	10	...	4	4	...	...	...	...
Offences against property, Chapter XVII. — Extortion	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Robbery and dacoity	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal misappropriation of property	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Ciminal breach of trust	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Receiving of stolen property	...	...	...	...	...	...	...	...	...	1	1	...	1	1	...	...	...	...
Offences against property, Chapter XVII. — Cheating	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Fraudulent deeds and disposition of property	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Mischief	...	...	...	...	...	...	...	...	...	1	1	...	1	1	...	...	...	...
Offences against property, Chapter XVII. — Criminal trespass	...	...	...	...	...	...	...	...	...	1	1	...	1	1	...	...	...	...
Offences relating to documents and to trade or property-marks, Chapter XVIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Criminal breach of contracts of service, Chapter XIX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to marriage, Chapter XX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Defamation, Chapter XXI	...	...	...	...	...	...	...	...	...	1	1	...	1	1	...	...	...	...
Criminal intimidation, insult, and annoyance, Chapter XXII	...	...	...	...	...	...	...	...	1	1	2	...	2	2	...	...	...	...
Offences under special and local laws	...	...	...	...	...	...	...	...	5	...	5	...	5	5	...	...	...	...
Total	...	...	...	...	...	...	...	...	20	23	43	...	34	34	...	...	...	...

Subsidiary table.

Description of offence.	35. Of the total number of persons shown in Column 16. Number who claimed to be tried by a mixed jury, section 451A(1) of the Code.	Number who did not so claim.	Column 21. Number of those in column 35 (1) whose cases were transferred under section 451B of the Code.	Number who claimed a mixed number of assessors section 451 (2) of the Code.	Number who did not so claim.	Columns 21 and 24. Number who claimed to be tried by a mixed jury, section 451 (1) of the Code.	Number who did not so claim.	36. Of cases shown in column 30. Disposed of by Magistrates. Being European British subjects.	Other than European British subjects.	Disposed of by Sessions Judges. Being European British subjects.	Other than European British subjects.
1	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Offences against the State, Chapter VI of the Indian Penal Code	...	...	...	...	...	...	...	...	...	...	...
Offences relating to the Army and Navy, Chapter VII	...	...	...	...	...	...	...	...	...	...	...
Offences against the public tranquillity, Chapter VIII	...	...	...	...	...	...	...	...	...	...	...
Offences by or relating to public servants, Chapter IX	...	...	...	...	...	...	...	...	...	...	...
Contempt of the lawful authority of public servants, Chapter X	...	...	...	...	...	...	...	...	...	...	...
False evidence and offences against public justice, Chapter XI	...	...	...	...	...	...	...	...	...	...	...
Offences relating to coin and Government stamps, Chapter XII	...	...	...	...	...	...	...	...	...	...	...
Offences relating to weights and measures, Chapter XIII	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the public health, safety, convenience, decency, and morals, Chapter XIV	...	...	...	...	...	...	...	...	...	...	...
Offences relating to religion, Chapter XV	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Offences affecting life	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Causing of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births	...	...	...	...	...	...	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Hurt	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Wrongful restraint and wrongful confinement	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal force and assault	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Kidnapping, forcible abduction, slavery, and forced labour	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Rape	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Unnatural offence	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Theft	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Extortion	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Robbery and dacoity	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal misappropriation of property	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Ciminal breach of trust	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Receiving of stolen property	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Cheating	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Fraudulent deeds and disposition of property	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Mischief	...	...	...	...	...	...	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal trespass	...	...	...	...	...	...	...	...	...	...	...
Offences relating to documents and to trade or property-marks, Chapter XVIII	...	...	...	...	...	...	...	...	...	...	...
Criminal breach of contracts of service, Chapter XIX	...	...	...	...	...	...	...	...	...	...	...
Offences relating to marriage, Chapter XX	...	...	...	...	...	...	...	...	...	...	...
Defamation, Chapter XXI	...	...	...	...	...	...	...	...	...	...	...
Criminal intimidation, insult, and annoyance, Chapter XXII	...	...	...	...	...	...	...	...	...	...	...
Offences under special and local laws	...	...	...	...	...	...	...	...	...	...	...
Total	...	41	...	...	...	...	...	34	...	...	...

JUDICIAL STATEMENT NO. 3 (CRIMINAL).

Showing miscellaneous proceedings under the Criminal Procedure Code in Upper Burma for the year 1890.

Name of proceedings	Total number of cases before the Courts during the year	Number of persons concerned	Number of persons discharged.	Number of persons convicted.	Remarks.
1	2	3	4	5	6
1.—Frivolous or vexatious complaints summarily dealt with under Chapter XX, section 250	25	30	26	4	
2.—Proceedings against witnesses under Chapter VI	7	7	2	2	Three transferred
3.—Forfeiture of bail or recognizance under Chapters XXXIX and XLII	41	97	27	68	Two pending.
4.—Non-attendance of jurors or assessors under Chapter XXIII, section 332	1	1	.....	1	
5.—Contempts of Court under Chapter XXXV	.....	.....	.....	.....	
6.—Proceedings under Chapter VIII to prevent breach of the peace	17	21	3	18	
7.—Security for good behaviour under Chapter VIII	470	569	106	432	Eleven pending, 19 referred, 1 absconded.
8.—Proceedings against local nuisances, Chapters X and XI	3	4	2	2	
9.—Possession, Chapter XII and XLIII	25	58	17	41	
10.—Maintenance, Chapter XXVI	228	228	108	116	Four pending
Total ...	817	1,015	291	684	Three transferred, 19 referred, 1 absconded, 17 pending

JUDICIAL STATEMENT NO. 4 (CRIMINAL).

Statement showing the general result of Criminal Trials in the tribunals of various classes in Upper Burma for the year 1890.

Class of tribunal	Total number of persons under trial.	Persons whose cases were disposed of.					Persons remaining under trial at the end of the year.	Number of cases disposed of during the year.	Average number of days during which each case lasted	Number of witnesses examined	Remarks
		Died, escaped, or transferred to another province	Discharged or acquitted.	Convicted. On regular trial	Convicted. On summary trial	Committed or referred					
1	2	3	4	5	6	7	8	9	10	11	12
Village Officers	...	...	...	...	...	..	...	...	...	....	
Subordinate Magistrate .. — Special Magistrates under section 14 ...	52	...	9	37	...	6	...	39	3	...	
Subordinate Magistrate .. — Honorary Magistrates sitting singly ...	..	...	..	...	...	.	...	...	...	...	
Subordinate Magistrate .. — Stipendiary Magistrates sitting singly ..	18,937	90	6,290	8,470	3,069	757	241	10,944	5	Not obtainable	
Subordinate Magistrate .. — Honorary Magistrates		...	...	...	.	...	...		...		
District and Divisional Magistrates' cases referred under section 349, Criminal Procedure Code.	613	4	190	349	19	44	7	379	6		
Chief Magistrates of District	1,444	26	417	613	290	70	28	808	7		
Courts of Sessions	831	4	181	574	...	63	9	442	2		
Superior Courts	79	...	5	70	...	...	4	41	17		
Total ..	21,956	124	7,092	10,113	3,308	940	289	12,653	5	..	

JUDICIAL STATEMENT No. 5 (CRIMINAL).

Statement showing the punishments inflicted by the various Criminal Tribunals in Upper Burma for the year 1890.

Class of tribunal.	PERSONS SENTENCED TO										DETAIL OF PUNISHMENTS.																	
				IMPRISONMENT							FINE.									IMPRISONMENT.					WHIPPED.			
	Death.	Transportation.	Penal servitude.	Rigorous.	Simple.	Forfeiture of property.	Fine.	Whipping.	Persons ordered to find or give security or recognizance to keep the peace or surcetion for good behaviour.	Persons imprisoned in default of security for good behaviour	Rs 10 and under.	Rs 50 and under.	Rs 100 and under.	Rs. 500 and under.	Rs 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed during the year.	Total amount of fines realized during the year	Amount paid by way of compensation.	Fifteen days and under.	Six months and under.	Two years and under.	Seven years and under.	Above seven years	Ten stripes and under.	Twenty stripes and under.	Thirty stripes and under.	Number of boys whose sentences were commuted to detention in a reformatory school
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
																	Rs. A. P.	Rs. A. P.	Rs. A. P.									
Village Officers	...	...	...	...	...	...	...	...	...	...	...	...	..	.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Subordinate Magistrates. Special Magistrates under section 14.	...	...	...	17	...	...	26	3	...	...	14	8	3	1	...	...	769 10 0	334 10 0	119 10 0	...	11	6	..	...	...	...	3	...
Subordinate Magistrates. Stipendiary Magistrates sitting singly.	...	...	...	2,003	135	...	8,866	704	262	211	6,054	2,422	252	160	4	...	1,56,680 2 0	1,15,322 13 2	9,974 4 1	318	1,293	596	4	...	132	316	258	...
Subordinate Magistrates. Honorary Magistrates ...	...	...	...	...	...	...	...	..	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
District and Divisional Magistrates' cases referred under section 349, Criminal Procedure Code	...	5	...	171	30	...	189	70	13	3	16	143	43	71	2	2	10,783 7 0	7,223 10 9	441 15 0	11	63	122	18	...	2	6	34	...
Chief Magistrates of Districts..	...	14	...	405	19	11	512	68	175	105	292	131	46	37	3	2	32,929 9 0	20,638 9 4	1,159 0 0	10	131	203	107	...	2	17	63	...
Courts of Sessions	...	138	...	384	1	1	73	113	20	20	...	32	26	12	...	3	13,565 0 0	5,315 4 3	100 0 0	31	23	76	256	34	...	13	102	...
Superior Courts	60	12	...	1	...	3	.	..	...	...	...	...	..	.	...	...	...	...	...		...	...	...	...	1	..	...	...
Total ...	60	169	.	2,981	185	15	9,666	958	470	339	6,376	2,736	340	281	9	7	2,14,727 12 0	1,49,034 15 6	11,794 13 1	370	1,511	1,003	385	34	137	352	460	..

JUDICIAL STATEMENT No. 5A (CRIMINAL).

PART I.

Showing whipping inflicted under sections 2 and 3, Act VI of 1864, and under section 7 (1) (c) of the Upper Burma Laws Act, 1886, in lieu of other punishments for the year 1890.

Section of Indian Penal Code	Offence for which awarded.	Number of stripes awarded. 5 and under		6 to 10.		11 to 15.		16 to 20.		21 to 25		26 to 30.		Total.	Remarks.
		First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	IN LIEU OF OTHER PUNISHMENTS.														
	Sections 2 and 3, Act VI of 1864.														
378	Theft	...	...	1	..	1	...	5	...	3	...	2	...	12	
379		2	...	4	...	1	1	12		1	...	4	...	25	
380		25	1	73	...	85	...	166	2	63	3	123	7	548	
381		...	..	1	...	1	...	..	...	...	...	...	...	2	
382		...	...	..	...	...	...	1	...	...	...	...	.	1	
388	Extortion	...	...	...	...	...	...	1	...	.	...	3	...	4	
389															
411	Dishonestly receiving stolen property	2	...	4	...	3	...	5	...	2	...	15	...	31	
412		...	...	1	...	2	...	3	...	1	...	2		9	
454	Lurking house trespass	...	...	...	...	...	...	...	...	..	.	...	..	.	
	Lurking house-trespass by night	...	...	...	...	...	..	...	..	..	...	..	...	...	
457	Offence under section 14, Act III of 1880 ...	..	...	...	...	...	...	...	...	...	.	...	.	...	
	Section 7 (1) (c) of the Upper Burma Laws Act, 1886.														
302	Murder	...	...	..	...	...	...	...		...	...	...	..	...	
304	Culpable homicide not amounting to murder	...	...	...	...	.	...	...	...	...	...	...	...	...	
307	Attempt to murder	...	...	.	...	...	...	.	...	...	...	...	...	...	
325	Voluntarily causing grievous hurt ...	..	.	...		..	...	.		...	...	1	...	1	
326		...	..	..	.	..		1	..	..	...	...	...	1	
327		...	...	...	...	.	...	1	.	...	.	1	...	2	
329		...	...	...	...	...		..	...	...	...	...	...	...	
333		...	...	...	...	..	...	...	...	...	...	...	...	...	
382	Theft, preparation having been made for causing hurt, &c	...	...	...	...	...	...	..	...	...	...	...	...	...	
386	Extortion	...	...	...	...	...	...	...	...	..	..	...	...	...	
387															
392	Robbery and dacoity	...	...	...		1	..	...	...	...	...	2	...	3	
393		...		...	...	...	...	...	...			...	...	...	
394		...	...	...	...	...	...	...	...		...	1	..	1	
395		...	...	...	...	...	...	...	...	.	.	3	...	3	
396		.	...	...	...	...			...	...	...	2	...	2	
397		...	.	..	...	2	..	1	.	...	...	11	...	14	
398		...	...	...	...	...	...	...	..		...	...	...	...	
399		...	.	...	...	...	...	...	.	...	...	...	...	...	
400		...	...	...	...	...	...	...	...	..	...	...	...	...	
401		..	...	...	...	...	...	..	...	...	.		...	...	
402		..	...	...	...	...	...	...	...	...	...	...	...	...	
412	Dishonestly receiving stolen property knowing that it was obtained by dacoity.	.	...	...	...	...	...	...	...	...	...	...	...	...	
435	Mischief by fire	...	...	..	...	...	...	...	...	.	.	...	...	...	
436															
440	Mischief committed after preparation made for causing death or hurt, &c.	...	..	1	...	...	...	.	...	1	...	1	...	3	
455	Lurking house-trespass and housebreaking	..	.	...	...	...	...	...	...	...	...	...	...	...	
458		..	...	...	...	...	...	...	...	...	...	1	...	1	
459		...	...	...	...	1	...	...	...	...	...	...	...	1	
460		...	...	...	...	..	...	...	...	...	...	...	..	...	
506	Criminal intimidation, if threat be to cause death or grievous hurt, &c	..	..	...	...	...	...	...	...	...	...	...	...	.	
	Abetment of any of the foregoing offences ...	...	...	..	...	...	...	...	..	...	...	...	...	...	
	Attempt to commit any of those which are not themselves expressed to be attempts to commit offences.	...	...	...	..	...	...		...	..	...	...	...	...	
	Excise Act ...	...	...	...	...	...	...	.	..	...	...	1	...	1	
193, I P. C	Giving false evidence	...	...	...	...	.	...	...	...	..	...	3	..	3	
	Total ..	29	1	85		97	1	196	2	71	3	176	7	668	

JUDICIAL STATEMENT NO. 5A—(CRIMINAL).

PART II.

Showing whipping inflicted in addition to other Punishments, sections 3 and 4, Act VI of 1864, and section 7 (c) of the Upper Burma Laws Act, 1886, for the year 1890.

Section of Indian Penal Code.	Offence for which awarded.	Number of stripes: 5 and under.	6 to 10.	11 to 15.	16 to 20.	21 to 25.	26 to 30.	Total.	Remarks.
1	2	3	4	5	6	7	8	9	10
	Section 3, Act VI of 1864.								
378	Theft	..	...	...	...	...	6	6	
379		1	2		2	...	2	7	
380		1	5	10	16	4	65	101	
381			1	...	1	.	...	2	
382			...	...	...	...	3	3	
388	Extortion	...	...	...	...	...	...	.	
389		...	..	...	...	...	...	...	
411	Dishonestly receiving stolen property ...	...	...	3	1	...	...	4	
412		...	...	...	..	..	2	2	
454	Lurking house-trespass	..	...	...	...	..	...	...	
457	Lurking-house trespass by night, offence under section 14 Act III of 1880.	...	...	...	...	...	...	...	
	Section 4, Act VI of 1864.								
193	Giving or fabricating false evidence ...	...	...	...	...	..	...	...	
194		...	...	...	...	...	...	...	
195		...		...	.		...	...	
211	False charge of unnatural offence	...	...	...	...	...	...	...	
377		...	...	...	...	...	...	..	
354	Assault	...	1	...	...	...	...	1	
375	Rape	...	...	...	..	...	1	1	
377	Unnatural offence	...	...	...	...	...	...	...	
392	Robbery and dacoity	..	...	...	...	...	20	20	
393			...	...	...	...	...	...	
394		...	...	...	...	.	2	2	
395		...	...	...	5	5	19	29	
396		...	...	...	...	..	.	—	
397		...	2	...	2	3	53	60	
398		...	...	...	...	...	...	...	
399		...	...	...	...	...	...	...	
400		...	...	...	...	1	7	8	
401		...	...	...	...	..	..	...	
402		...	...	...	...	...	...	...	
413	Receiving stolen property	...	...	...	...	...	...	...	
465	Forgery	...	...	..	...	...	...	...	
466		...	...	...	...	...	...	...	
467		...	...	...	...	...	...	...	
468		...	...	..	...	..	...	...	
469		...	...	...	...	...	...	...	
454	Lurking house-trespass, &c.	...	...	...	...	...	...	...	
455		...	...	...	...	...	1	1	
457		...	...	...	...	...	...	...	
458		...	...	...	...	...	...	...	
	Section 7 (1) (c) of the Upper Burma Laws Act, 1886.								
302	Murder		...	...	...	...	...	...	
304	Culpable homicide not amounting to murder	...	...	...	...	...	...	...	
307	Attempt to murder		...	...	...	...	...	...	
325	Voluntarily causing hurt	..	...	...	...	...	...	...	
326		...	.	...	...	...	...	...	
327		.	...	...	...	...	...	...	
329		...	...	...	...	...	...	...	
333		...	...	...	...	..	...	...	
382	Theft	...	...	..	...	...	...	...	
386	Extortion	...	...	...	...	1	...	1	
387		...	...	...	...	...	...	...	
392	Robbery and dacoity	..	...	...	...	...	...	...	
393		...	...	...	...	...	...		
394		...	...	...	...	...	...	...	
395		...	...	...	...	...	..	...	
396		..	...	...	...	...	2	2	
397		...	...	...	...	...	...	...	
398		...	...	...	...	...	...		
399		...	...	...	...	...	...	...	
400		...	...	...	...	...	...	...	
401		...	...	...	...	...	...	...	
402		...	...	...	...	...	...	...	
412	Dishonestly receiving stolen property	...	...	...	1	...	...	1	
435	Mischief by fire	...	...	...	...	...	...	...	
436		..	...	...	...	...	...	...	
440	Mischief committed after preparation made for causing death or hurt, &c	..	...	...	...	...	...	...	
455	Lurking house-trespass	...	...	.	...	...	...	...	
458		...	...	1	...	1	1	3	
459		...	...	...	...	..	...	...	
460		...	...	...	...		...	...	
506	Criminal intimidation if threat be to cause death or grievous hurt	...	...	...	..	...	...	...	
	Abetment of any of the foregoing offences	...	...	...	..	...	...	...	
	Attempt to commit any of those offences which are not themselves expressed to be attempts to commit offences.	...	...	...	...	...	...	...	
	Gambling Act	3	...	...	...	...	...	3	
	Total ...	5	11	14	28	15	184	257	

JUDICIAL STATEMENT NO. 5A. (CRIMINAL), PART III.

Showing whipping inflicted under section 5, Act VI of 1864, on juveniles for offences other than those specified in Parts I and II for the year 1890.

Offence.	Stripes												Total.	Remarks.
	5 and under.		6 to 10.		11 to 15.		16 to 20.		21 to 25		26 to 30.			
	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Section 170, I. P. C.	...	...	1	...	...	...	...	...	...	...	..	...	1	
Do. 240, do.	...	...	...	...	...	...	...	...	...	...	...	...	...	
Do. 323, do.	...	...	...	...	2	...	...	...	...	...	...	...	2	
Do. 335, do.	...	...	...	...	...	...	...	...	...	...	1	...	1	
Do. 336, do	...	...	...	...	...	..	...	...	1	...	...	...	1	
Do. 352, do.	...	...	...	...	...	...	1	...	...	...	...	...	1	
Do 354, do. ... }	...	...	...	...	...	...	...	...	...	...	...	...	...	
Do. 8, Act VI, of 1864 } ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Do. 376, I. P. C. .. } ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Do 379, &c., do. ... } ...		...	...	..	1	...	2	...	...	...	...	...	3	
Do. 380, do.	...	...	3	...	...	...	6	...	...	...	...	...	9	
Do. 395, do.	...	...	...	...	...	...	...	...	...	...	1	...	1	
Do. 403, do.	1	...	...	...	...	...	...	...	...	...	...	...	1	
Do 451, do.	...	...	...	...	...	...	...	...	...	...		...	...	
Do 456, do.	...	...	...	...	...	...	...	...	...	...	...	...	...	
Do. 510 do.	...	...	1	...	...	...	...	...	1	...	...	...	2	
Railway Act, IV of 1879	...	...	...	...	...	...	...	...	...	...	...	...	...	
Gambling Act	...	...	...	...	2	...	...	...	...	...	...	...	2	
Total ...	1	...	5	...	5	...	9	...	2	...	2	...	24	

PART IV.

Statement showing the relative number of times whipping was awarded as compared with other punishments in Upper Burma for the year 1890.

Punishments.	Number.	Remarks.
1	2	3
1. Total number of whippings awarded	949	
2. Total number of other punishments	12,562	
Percentage of whippings ...	7·02	

JUDICIAL STATEMENT No. 6 (CRIMINAL).

Statement showing the result of appeal and revision in Criminal Cases in Upper Burma for the year 1890.

Class of tribunal.	Number of persons.											Average number of days during which each appeal lasted	Remarks.
	Total number of appellants and applicants for revision before the Courts.	Died, escaped, or transferred to another province	Appeals or applications rejected	Sentence or order confirmed.	Sentence enhanced	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiry ordered.	Referred for revision to the High Court.	Pending trial.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appeals.													
To Chief Magistrates of districts	398	5	117	105	13	66	68	5	5	7	5	11	
To Courts of Session	337	6	64	106	34	40	48	9	4	3	23	17	
To Superior Courts ... By persons convicted ... / By Government from judgment of acquittal	477	...	116	207	17	77	37	...	12	...	11	18	
Total ...	1,212	11	297	418	64	185	153	14	21	10	39	16	
Revisions.													
By Chief Magistrates of districts	2,211	6	159	1,414	35	130	185	28	72	73	109	8	
By Courts of Sessions	845	...	208	382	...	...	...	.	2	203	50	13	
By Superior Courts	1,092	...	15	528	4	42	315	1	12	...	175	20	
Total ...	4,148	6	382	2,324	39	172	500	29	86	276	334	12	
GRAND TOTAL ..	5,360	17	679	2,742	103	357	653	43	107	286	373	13	

G. B. C. P. O.—No. 1078, B. S., 19-8-91—480.